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Fifty-seventh year

Provisional

4525th meeting

Friday, 3 May 2002, 6.25 p.m.
New York

President:	Mr. Mahbubani	(Singapore)
Members:	Bulgaria	Mr. Raytchev
	Cameroon	Mr. Belinga-Eboutou
	China	Mr. Wang Yingfan
	Colombia	Mr. Franco
	France	Mr. Doutriaux
	Guinea	Mr. Boubacar Diallo
	Ireland	Mr. Ryan
	Mauritius	Mr. Gokool
	Mexico	Ms. Lajous
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 2 May 2002 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council (S/2002/510).

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02-36692 (E)

The meeting was resumed at 6.25 p.m.

The President: I should like to inform the Council that I have received a letter dated 3 May 2002 from the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the Middle East, including the Palestinian question, under rule 39 of the provisional rules of procedure of the Security Council."

On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

I invite Mr. Ravan A. G. Farhâdi to take the seat reserved for him at the side of the Council Chamber.

The next speaker inscribed on my list is the representative of Jordan. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Hadidi (Jordan) (*spoke in Arabic*): At the outset, I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I wish you success in carrying out your task. I would also like to thank the Permanent Representative of the Russian Federation, Ambassador Lavrov, for his skilful and successful stewardship of the Council in the past month, especially given the great turmoil in the Middle East.

About two weeks ago, a the Security Council adopted resolution 1405 (2002) regarding the situation in the occupied Palestinian territories, especially the tragic humanitarian situation in Jenin, which was precipitated by Israel's serious breach of international humanitarian law, including the Geneva Convention Relative to the Protection of Civilian Persons in Times of War and other instruments relative to conditions of military occupation. That resolution was adopted not in a vacuum. Rather, it was passed against the backdrop of the overwhelming images, seen by the entire world, of widespread physical destruction and massive killing that did not discriminate between children, the elderly, civilian women and men and combatants.

As members may recall, the Security Council requested the Secretary-General to gather accurate information regarding the events that took place in the Jenin refugee camp through a fact-finding team. That request came after assurances by the Government of Israel that it had nothing to hide and that it would welcome any fact-finding mission established by the Secretary-General to ascertain exactly what happened there.

We thank the Secretary-General for shouldering his responsibilities and for his painstaking efforts to put together a team whose members are well-known for their integrity, impartiality and expertise in this regard. The Secretary-General also set out parameters for the team's work, in accordance with the mandate given by the Security Council and in keeping with international fact-finding mechanisms.

Despite the tremendous amount of preparatory work done by the Secretary-General and intensive diplomatic contacts with the Israeli leadership, it has been clear from the beginning that Israel had no intention of cooperating with that team or of facilitating its work. Israel has set conditions and thrown up various obstacles that make clear the following.

First, Israel does not want to see an impartial and accurate report describing exactly what happened in the Jenin refugee camp, because such a report would make the Israeli army, soldiers and officers accountable to the international community for their criminal acts. Israel would be held accountable under international legal systems for having acted in contravention of mandatory international legal standards, including those governing armed conflict and human rights.

Secondly, it was Israel's intent — if it failed to set conditions on the composition and the work of the team — to abort the mission, despite the repercussions and implications of Israel's rejection of the mission. That rejection has included blocking the implementation of a Security Council resolution sponsored by the United States that supported the fact-finding mission.

The Council has before it a letter from the Secretary-General in which he makes clear that, as a result of the position of the Israeli Government, he has been unable to complete the task entrusted to him. The Secretary-General advises the Council, at the end of his letter, that, in the absence of a fact-finding mission, a shadow of doubt will continue to exist with respect to what really happened in Jenin.

The Government of the Hashemite Kingdom of Jordan supports the efforts of the Secretary-General to implement resolution 1405 (2002) and endorses the contents of his letter to the Council with respect to the reasons that forced him to disband the fact-finding mission. We agree with his views on the need to pursue efforts related to sending such a mission to Jenin.

We therefore call on the Security Council to fulfil its responsibilities and to respect its own resolutions. We call on it also not to reverse itself in the face of blatant Israeli intransigence and to refrain from shirking its international obligations, thus projecting the image that Israel and its institutions are above the law.

It is our hope that the Council will realize that the entire world is aware that it is applying a double standard. Indeed, on the one hand the Council tolerates Israel's flouting of its resolutions, while on the other demanding — as it has done for more than 11 years — that Iraq respect them, using force against it and maintaining the harshest economic sanctions in recent history against that country.

Today the credibility of the Council is at stake. The Government of Jordan calls on the Council to adopt a resolution supporting the Secretary-General's efforts to see that a fact-finding mission to Jenin is carried out in order to determine what really happened there. We maintain that this approach is the only way to preserve the dignity of the Council in the face of Israel's continuing rejection of its resolutions.

The President: I thank the representative of Jordan for the kind words he addressed to me.

The next speaker on my list is the representative of Pakistan. I invite him to take a seat at the Council table and to make his statement.

Mr. Khalid (Pakistan): Sir, we are delighted to see you presiding over this important meeting of the Council. We are sure that you will be able to guide the deliberations of the Council in your usual effective and able manner. We also appreciate the way in which Ambassador Lavrov conducted the Council's proceedings last month.

The situation in the Middle East shows no signs of improvement. It is indeed a matter of concern to all of us that despite repeated calls by this Council, through its resolutions 1397 (2002), 1402 (2002), 1403 (2002) and 1405 (2002), Israeli military operations in the Palestinian cities continue unabated. Numerous Palestinian towns and cities are suffering under Israeli military occupation, while civilian casualties are continuing to mount. Today, we are no nearer to the end of the violence than a month or even a year ago.

We are deeply concerned at the fact that Israel persists in its defiance not only of the successive resolutions adopted by the Council, but also of the Secretary-General's initiative to send a fact-finding team to Jenin. Israel's refusal to cooperate with the fact-finding mission is indicative of a desire to cover up the facts. The massacre in Jenin was as excessive as it was inexcusable. Nothing could have justified such wanton killing. Pakistan reiterates that a comprehensive and impartial inquiry should be conducted to find out what happened in Jenin. Fact-finding missions to areas where gross violations of humanitarian law occur, whether in the Middle East or elsewhere, should be a matter of course, not an exception. Such missions should not be allowed to be held hostage to the whims of one of the parties.

Pakistan deplores the killing of innocent civilians in that region. We have already voiced our strong support for the Secretary-General's proposal to deploy an international force to ensure safety and to provide an opening for diplomatic moves. The Security Council cannot remain unmindful of its special responsibility for the maintenance of international peace and security. It must not allow selectivity or double standards in the implementation of its resolutions. The Council must take decisive, effective and immediate measures to ensure the immediate cessation of all Israeli military action and the total withdrawal of its forces from the occupied territories, in accordance with its own resolutions. There has never been a time when the Council's very credibility and moral authority were more at stake.

Our objective, however, is not to achieve a ceasefire and withdrawal only. It is actually the attainment of a final peace settlement in the Middle

East. The framework for that settlement already exists — in all the recent peace initiatives, in Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), and in the Beirut Declaration. Those who have the responsibility to maintain international peace must therefore act, and act now, to realize this objective and to save what remains of the hopes for a durable peace in the Middle East.

The President: I thank the representative of Pakistan for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): My delegation is pleased to see you, Sir, preside over the Council this month. We would like to thank you, as the representative of Singapore, a close neighbour, at this early stage of your presidency for convening this urgent meeting of the Council to consider the grave situation in Palestine. We also wish to express our appreciation to Ambassador Lavrov of the Russian Federation for the outstanding manner in which he conducted the work of the Council last month.

Malaysia continues to be deeply concerned at the grave situation in Palestine. Israel's relentless military operations against the Palestinians have exacerbated further the plight of the people of Palestine. As they live under occupation, their misery — especially during the past several weeks of the Israeli siege — is unimaginable. Israel has disregarded Council resolutions 1397 (2002), 1402 (2002), 1403 (2002) and, most recently, 1405 (2002). In spite of those resolutions, it has continued to occupy Palestinian territory, obstructed Palestinian access to humanitarian assistance and continued to keep President Arafat confined to his headquarters in Ramallah, surrounded by Israeli tanks for more than a month, despite its repeated assurances that he would be freed.

It is gratifying to hear that the siege of President Arafat's headquarters is finally over and that he is now free to travel. However, unless the tanks are permanently withdrawn from Ramallah and other Palestinian towns — not just moved to their outskirts — they could be redeployed at a moment's notice, thereby precipitating another round of crisis.

Israel's attempts to block the dispatch of the fact-finding mission to Jenin, established pursuant to resolution 1405 (2002), is the latest manifestation of its recalcitrance with respect to the decisions of the Council. Despite its assurances of cooperation, Israel has reneged on its agreement to allow the fact-finding mission to go to Jenin. That attitude only strengthens the widely held suspicion that Israel intends to conceal from the international community the truth of what really happened in Jenin.

The reasons that Israel has given for its refusal to allow the entry of the international fact-finding mission are spurious and unreasonable, and they should have been totally rejected by the Council. What is at issue is not whether the United Nations is biased against Israel — as alleged by the Israeli Government — which cannot be true, since Israel has many friends in the United Nations. The question is whether Israel is a responsible and law-abiding member of the United Nations and whether it is responsive to the repeated calls of the international community to desist from pursuing its current repressive and inhumane policies and practices. If the United Nations is indeed "biased" against Israel, even when Israel has many friends within it, then there must be something very wrong with Israel, not with the United Nations.

Malaysia commended and strongly supported the Secretary-General's energetic efforts to carry out this fact-finding mission. It is therefore a matter of deep regret and disappointment to my delegation that the mission is now being disbanded because of Israel's refusal to cooperate with it. We had hoped that every effort would have been made by the Secretary-General and the Council, collectively and individually, to ensure that the mission would be able to proceed to Jenin and to undertake the tasks that it had been assigned.

The failure to carry out the mission will do a great disservice to the efforts of the Secretary-General and undermine his credibility, as well as the credibility and authority of the Council. It demonstrates that, for some countries, the Council's decisions are not necessarily binding; they can be resisted, manipulated and even ignored with impunity. The message is clear to all: Israel gets off scot-free even when it repeatedly defies the Council, while others will pay the price should they dare go against the Council's decisions. That is an unfortunate message indeed to be sent out to the world at a time when the prestige of the Council is at a low level. Therefore, in spite of the current setback, the Council must support Palestine's request

for a full and thorough investigation of the facts pertaining to Jenin — now or later, but the sooner the better. If Israel is indeed without guilt in what happened in Jenin, it should not be afraid of an independent international investigation. Let the facts tell the story. Let the international community pass judgement on the basis of the facts. The facts alone — not specious or false argumentation concocted by Israel — can exonerate Israel.

Despite resolution 1405 (2002), which also sought to address the humanitarian situation on the ground, conditions remain appalling for the Palestinians. United Nations aid agencies have reported that Israeli checkpoints and blockades are effectively hampering the delivery of humanitarian assistance to the occupied Palestinian territories, which are facing acute shortages of food and medical services. In the West Bank, Bethlehem is under a curfew, lifted every five or six days, confining the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other United Nations agencies to those windows of opportunity to deliver food and medical supplies. Other Palestinian cities are subject to the same conditions. Security restrictions have prevented the World Food Programme from reaching many Palestinians, and it has to negotiate with Israeli authorities for access to the Palestinian territories to distribute food. Such hampering of humanitarian aid is totally unacceptable. This cannot be the conduct of a nation that prides itself on being civilized. This, and the ruthless military onslaught against the Palestinian people, cannot have been sanctioned by a man of peace.

It is in the interest of the Council to ensure that it fully and effectively exerts its authority and to demand that Israel immediately and fully comply with resolutions 1397 (2002), 1402 (2002), 1403 (2002) and 1405 (2002). Israel's blatant defiance of the Council cannot go unchallenged without undermining the authority and credibility of the Council. My delegation reiterates its call for appropriate penalties to be taken against Israel, as provided for in the Charter, should it continue to defy the Council. Continued inaction by the Council in the face of an open challenge to its authority would be a terrible blow to its prestige, to say the least. It would be tantamount to condoning Israel's inhumane and repressive policies and practices and to allowing the situation to slide into a wider regional conflict, with all its ramifications.

We welcome the efforts of the United States and Saudi Arabia to break the deadlock in the Middle East crisis and encourage them in their quest to resume the peace process. Such efforts must be sustained by those two countries and others in the face of the clear intention of the Israeli Government to seek a military rather than a political solution. It has obstructed and continues to obstruct every effort to bring the parties to the negotiating table. Malaysia continues to believe strongly that what is urgently needed to stop the violence and pave the way for the resumption of negotiations is for the Council to authorize the dispatch of a United Nations or international peacekeeping force to the occupied territories.

In that regard, we are heartened to learn that the recent discussions of the "quartet" touched on the issue of the multinational force that the Secretary-General had proposed earlier for the Middle East. In our view, that is the only recourse to bring about a modicum of calm in a situation in which the two sides are locked in deep mistrust and antipathy. It is our earnest hope that the Council will now give serious consideration to that course of action as the only effective means to end the bloodshed. However, if it is to succeed, it is important that the Council not retreat at the first blush of Israeli resistance.

The President: I thank the representative of Malaysia for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Spain. I invite him to take a seat at the Council table and to make his statement.

Mr. Arias (Spain) (*spoke in Spanish*): I have the honour to speak on behalf of the European Union. Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia, Malta, Turkey, Iceland and Liechtenstein align themselves with this statement.

Since the last public meeting of the Security Council on the situation in the Middle East, including the Palestinian question, the international community has made a number of positive efforts to stop violence and terrorism and prevent the loss of innocent Palestinian and Israeli lives. The "quartet" met in Washington for the second time in less than a month to exchange views on a conflict that demands to be addressed both in an urgent manner and with a longer-term perspective.

These international efforts have already brought about positive changes on the ground, in particular the non-violent resolution of the situation at the headquarters of the Palestinian Authority in Ramallah and the end of the isolation of President Arafat. The European Union expects that the personal security and freedom of movement of the recognized and elected leader of the Palestinian people will be fully respected and guaranteed. We welcome the most recent security arrangements brokered by the United States, the United Kingdom and both parties. President Arafat must make use of his freedom to exercise political leadership of the Palestinian Authority and of his people, and do all in his power to suppress terrorism. Both parties should build on this modest measure of agreement, stop the violence and embark on dialogue.

The European Union, working together with the United Nations, the United States and the Russian Federation, is committed to helping to bring about a just, comprehensive and lasting peace in the Middle East. We stand ready to assist the parties in implementing their agreements and to take part in an international peace conference that involves all of the players and takes into account previous agreements. Yesterday, the "quartet" expressed its readiness to begin preparations for a conference, to take place this summer, that would address security, economic and humanitarian issues, as well as consider the political way forward.

Despite all of these positive efforts, the European Union remains extremely concerned at the unresolved stand-off at the Church of the Nativity in Bethlehem. After a month, contacts between both parties to resolve the stand-off have produced few results. The risk of open confrontation persists, and the Palestinian civilian population of Bethlehem continues to live under curfew and military occupation.

The European Union reiterates the need for concerted and sustained international action to implement the joint declaration of the "quartet" of 10 April 2002 and, in particular, to ensure the immediate and full implementation of resolutions 1402 (2002) and 1403 (2002). In this regard, we call on Israel to immediately halt all of its military operations in the Palestinian territories. We call for an immediate, meaningful and effective ceasefire and for the immediate and complete withdrawal of Israeli troops from all Palestinian cities and other areas under the control of the Palestinian Authority. Security Council resolutions must be implemented fully and immediately.

The European Union deplores the fact that yet another Security Council resolution has not been fully implemented. The Union fully supported the efforts of the Secretary-General to ensure the implementation of resolution 1405 (2002) and stressed the importance of his initiative to obtain accurate information regarding the events in the Jenin refugee camp by sending a fact-finding team. We deplore the fact that, in the light of the announcement of the Government of Israel of 30 April, the team will not be able to proceed to the area and begin its mission.

We are convinced — and share the view expressed by the Secretary-General in his letter addressed to the President of the Security Council on 1 May — that the team would have provided an accurate, fair and professional account of the events. We reiterate our support of the Secretary-General for the analysis and conclusions reflected in that letter and most strongly deplore the failure of the Government of Israel to cooperate with the fact-finding team. Israel says that it has nothing to hide, but — to use Secretary-General's words — the long shadow cast by recent events in the Jenin refugee camp will remain. We recall the obligation of all Members of the United Nations to accept and carry out the decisions of the Security Council in accordance with the Charter.

The Union reiterates its condemnation of violence and terrorism and expects the Palestinian Authority to act decisively, within its capacity, to stop terror and dismantle its infrastructures, and to put an end to incitement to violence. Terrorist attacks, including suicide bombings, must end immediately. They are immoral and illegal and do serious harm to the legitimate aspirations of the Palestinian people.

The European Union is very concerned about the destruction of the basic structures of the Palestinian Authority. Such actions are unacceptable and counterproductive. They diminish the capacity of the Palestinian Authority to enforce the rule of law and may lead to a dangerous security vacuum and, in the longer term, to even greater risk for the security of Israel. At the same time, the unprecedented damage caused by the recent Israeli military operations to Palestinian civil infrastructure and private property and the disruption of basic social services, which play no role whatever from a security point of view, cannot be

justified on the basis of Israel's legitimate fight against terrorism. These actions in violation of international law must end immediately. The European Union urges the Government of Israel to put an end to these practices and reserves the right to claim reparations in the appropriate forums.

In these circumstances, we call on Israel to put an immediate end to the economic strangulation of the Palestinian territories, the tight closures, the restrictions, the checkpoints, the isolation and confinement of the population and the severe limitations imposed on the movement of people and goods. The military operations of recent weeks have further aggravated the dramatic deterioration of living conditions and the economy in the Palestinian territories.

The European Union is gravely concerned about the humanitarian crisis in the Palestinian territories. It is absolutely unacceptable that humanitarian and medical organizations and personnel continue to confront restrictions in performing their work and in accessing those populations in need. Israel must allow them full and unimpeded access. Israel must fully comply with international humanitarian principles, including the United Nations conventions on the protection of civilians in times of war, and refrain from the excessive use of force. Extrajudicial killings must stop. It must extend its fullest possible cooperation to humanitarian agencies and organizations, in conformity with its obligations under international humanitarian law.

The political plans and goals aimed at putting an end to a conflict to which there can be no military solution have already been established very clearly. These are Security Council resolutions 242 (1967) and 338 (1973), and the principle of land for peace, which formed the basis of the Madrid Conference of 1991; the creation of a politically and economically viable Palestinian State and security guarantees for the State of Israel, as spelled out in resolution 1397 (2002); and the support of the League of Arab States for Crown Prince Abdullah's peace initiative.

The joint statement of the "quartet" of 10 April shows that there is a clear path towards the resumption of negotiations on a political settlement, based on the full and immediate implementation of resolutions 1402 (2002) and 1403 (2002) and of the Tenet plan and the Mitchell recommendations. As was reiterated yesterday in Washington, immediate and parallel movement towards tangible political progress in the short term, and a series of specific steps leading to permanent peace, are absolutely necessary.

The European Union remains convinced that an impartial monitoring mechanism on the ground is essential to the process of restoring mutual confidence and making progress on both the political and security fronts. We stand ready to participate in such a mechanism. We welcome the Secretary-General's views regarding the sending of a multinational force to the Middle East, and we are encouraged by ongoing discussions on this issue in the Security Council.

As we recently indicated at the informal meeting of donors of the Ad Hoc Liaison Committee, which was held in Oslo on 24 and 25 April, the European Union will continue to make a full and substantial economic contribution to peace-building in the region with the aim of improving the living conditions of the Palestinian people, consolidating and supporting the Palestinian Authority through efforts that include rebuilding its infrastructure, security and governance capacity, providing humanitarian assistance to the Palestinians and assisting with economic and institutional reconstruction.

The President: The next speaker inscribed on my list is the representative of South Africa. I invite him to take a seat at the Council table and to make his statement.

Mr. Kumalo (South Africa): On behalf of our delegation, we wish to congratulate you, Sir, on assuming the presidency of the Security Council for the month of May 2002. We regret that it continues to be necessary for the Council to convene on an almost daily basis in response to the tragic events in the Middle East.

We deplore Israel's decision not to cooperate with the Secretary-General's efforts to investigate the events in Jenin. We also deeply regret that, as a consequence, the fact-finding team had to be disbanded. We believe that it is essential that the Secretary-General be mandated to prepare a report based on all available information on the events in Jenin. The international community cannot allow Israel to enjoy a veto over the attempts to investigate the facts regarding the possible massacres and war crimes committed in Jenin and elsewhere in the occupied territories. As the Secretary-General noted in his letter to the President of the

Security Council, the long shadow cast by the events in Jenin will remain in the absence of a fact-finding mission.

The Security Council can no longer ignore the culture of impunity that Israel seems to enjoy. The intransigence of the Israeli State is beginning to erode the credibility and legitimate standing of the United Nations as a whole. Security Council resolutions 1402 (2002) and 1403 (2002) called for the withdrawal of Israeli forces from Palestinian territory without delay. Israel has yet to withdraw its forces. Security Council resolution 1405 (2002) welcomed the Secretary-General's initiative to send a fact-finding mission to investigate the events in Jenin. Israel refused to cooperate with the Secretary-General, forcing the Secretary-General to disband his team. Yet everyone is now witnessing the true extent of the vandalism and wanton destruction carried out by Israeli soldiers in the headquarters of the Palestinian Authority and, indeed, throughout the occupied Palestinian territory.

The Security Council must now take a stand or it will make itself guilty of the selective application of its authority and of inconsistency in ensuring compliance with its decisions. Moreover, if the Council fails to impose consequences for non-compliance with its decisions, its ability to fulfil its Charter mandate will be completely undermined and its credibility will be harmed.

This past Monday, 29 April 2002, the ministers of the countries representing the Non-Aligned Movement (NAM) met in Durban, South Africa, and expressed outrage at the wilful killing, vast destruction and other atrocities committed by the Israeli occupying forces, including reports of war crimes and massacres committed in the Jenin refugee camp and in other Palestinian cities. The Ministers representing the NAM members of the Security Council also participated in the meeting.

The ministers called for the immediate and full withdrawal of Israeli occupying forces from Palestinian cities, in implementation of resolutions 1402 (2002) and 1403 (2002). They expressed full solidarity with and support for the elected President of the Palestinian Authority, Yasser Arafat. They looked forward to the fact-finding team of the Secretary-General, which they believed would confirm the possible war crimes committed against the people of Palestine. The ministers expected the Security Council to continue in its role of maintaining peace and security.

No one doubts that the situation in the Middle East is complicated. Nonetheless, the Member States expect the Security Council, the sole body entrusted with the task of maintaining peace and security, to insist that its decisions be implemented and respected. It is encouraging to note the developments of the past couple of days, including the lifting of the siege in Ramallah. Therefore, it is our hope that Israel will take advantage of this opportunity to heed the broad consensus of the international community for an immediate withdrawal from all Palestinian territories. It will continue to remain difficult to resume the peace process as long as Israeli tanks surround the villages of Palestine.

The President: I thank the representative of South Africa for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Pamir (Turkey): At the outset, let me congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May and wish you every success.

The statement delivered this afternoon by the Permanent Representative of Spain on behalf of the European Union, with which Turkey has aligned itself, reflected our main concerns, views and expectations with regard to the situation in the Middle East. However, allow me briefly to emphasize certain points at this important gathering of the Security Council.

After what has transpired in recent weeks before the very eyes of the international community, one wonders whether more can be said about the conflict between Israel and Palestine. One thing is certain: it has created perhaps the most tragic humanitarian situation in the region in decades. We are deeply disturbed by the fact that the full implementation of Security Council resolutions 1402 (2002) and 1403 (2002) has not yet taken place. As long as the withdrawal of Israeli military forces from the occupied Palestinian territories remains to be completed, our concerns will not vanish.

One of the belated, but nonetheless modestly encouraging developments is the raising of the siege of Mukata, President Arafat's compound in Ramallah. We

were appalled by the siege and never accepted such disrespectful treatment of the legitimate leader and President of Palestine. We hope that the agreement that paved the way for the raising of the siege will be fully respected by all. We also hope and expect that the current stand-off at the holy site of the Church of the Nativity in Bethlehem will be resolved peacefully and that all restrictions to which Palestinian civilians are subjected will be lifted without delay.

Turkey's unswerving resolve against terrorism and against all forms of violence is well known. Whenever we have met in this Chamber and discussed the situation in the Middle East, Turkey has condemned violence and terrorism in the strongest possible terms, including the morally repugnant suicide attacks against the Israeli people. We have always warned the parties of the counterproductive consequences of the use of violence. We continue to believe that denouncing terrorism and violence and taking effective measures against them can provide the basis on which peace can be built.

A couple of days ago, in the face of the uncontrolled situation at hand, active and on-site third-party involvement was deemed necessary. We added our voice to those, and in particular to that of the Secretary-General, who called for united and firm action by the international community to help the parties. We welcomed and supported his unrelenting and energetic efforts, including his initiative to create a fact-finding team aimed at gathering accurate information regarding the recent events in the Jenin refugee camp. We are deeply disappointed by the failure of this initiative and thus by the non-implementation of Security Council resolution 1405 (2002). We share the views expressed by the Secretary-General on this issue in his letter dated 1 May addressed to the President of the Security Council.

Yesterday's meeting of the Secretary-General with the "quartet" in Washington, D.C., was another step forward and helped rekindle our hopes for the future. We are convinced that all three elements of the newly drawn strategy are relevant and indispensable.

Turkey, with its unique position vis-à-vis the parties, has always assumed a conciliatory role in the resolution of the Middle East question. As the recent crisis escalated, we remained in constant contact with the parties and tried to be instrumental in seeking mutually acceptable solutions. More recently, the Turkish Foreign Minister, Mr. Cem, together with his Greek counterpart, Mr. Papandreou, visited Israel and Palestine on 24 and 25 April. The two Ministers held joint high-level talks with both parties, including Prime Minister Sharon and President Arafat, and conducted other consultations. This initiative, which was welcomed by the parties, not only reaffirmed Turkey's continued commitment to the Middle East, but also displayed a unique example of harmony and dialogue between two neighbouring countries that are known for their divergent views on several other issues.

Rendering humanitarian assistance to Palestinian civilians is of great importance and urgency. To that end, my Government has provided emergency humanitarian assistance to the Turkish Red Crescent Society in order to alleviate the suffering of our Palestinian brothers. Furthermore, we are also planning to increase our voluntary contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in view of its emergency appeals.

We all know that the road to a just, lasting and comprehensive peace in the Middle East is arduous and rugged, but we strongly believe at the same time that it is attainable. The main building blocks are well known. Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace are the basic milestones towards a durable peace. The political vision is enshrined in Security Council resolution 1397 (2002), which envisages a Middle East where two States, Israel and Palestine, live side by side in peace and security within their internationally recognized borders. In this context, the Saudi initiative put forward by Crown Prince Abdullah and endorsed by the Arab League may also play an important role. Let us hope that all concerned will show the necessary determination and commitment.

The President: I thank the representative of Turkey for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Yoshikawa (Japan): Let me begin my statement by welcoming the fact that Chairman Arafat recovered his freedom on 1 May. This was a positive step towards improving the situation. We also express our appreciation to the Governments of the United States and the United Kingdom for their efforts in

transferring from Ramallah the prisoners who are alleged to have been involved in the assassination of the former Israeli Minister of Tourism and in the arms shipment affair and in monitoring their confinement in a Palestinian prison in Jericho.

The Government of Japan, like many in the international community, welcomed the idea of dispatching a fact-finding team to develop accurate information regarding recent events in the Jenin refugee camp, as proposed in Security Council resolution 1405 (2002). We also thought that the fact-finding team, whose composition was announced on 22 April, would produce an accurate and credible report for the Secretary-General. It is thus deeply regrettable that, due to the objections raised by the Government of Israel, the Secretary-General had to express yesterday his intention to disband the fact-finding team. The regrettable development in the issue of the fact-finding team on the Jenin refugee camp has greatly eroded the authority and credibility of the Security Council, and we hope that the Council will take a clear position on this matter.

The Japanese Government is concerned at the humanitarian conditions that the Palestinian people continue to face and has therefore decided to extend, through the United Nations Development Programme, emergency humanitarian assistance to the Palestinian people of approximately $3.3 million. In response to the emergency appeal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Japanese Government has pledged medical and health assistance of approximately $1.2 million. We are studying the possibility of extending additional humanitarian assistance as needed.

In spite of the difficulties, efforts to restore calm to the region must continue. The Government of Japan has been urging and continues to urge both the Government of Israel and the Palestinian Authority to respond positively to the efforts made by the international community and to take decisive action to bring about a ceasefire and to resume the peace process. Recently, the Minister for Foreign Affairs of Japan, Mrs. Kawaguchi, advocated that a multi-layered engagement of the international community, with Japan's proactive participation, was necessary in order to bring the political process smoothly back on track once a ceasefire has been achieved. She identified three elements that must be pursued simultaneously.

First, it is necessary to guarantee the implementation of a ceasefire agreement and to promote the ongoing political process though an international conference.

Secondly, it is important to enhance regional stability and development, which are fruits of peace. One way of doing this might be to resume the multilateral tracks of the peace process aimed at regional cooperation projects.

The third element consists of measures to build a broad relationship of mutual trust between the two sides. Japan is prepared to host a forum bringing together Palestinians and Israelis, representing a broad range of fields and diverse perspectives for a discussion on peaceful coexistence between the two peoples and the vision of a future Palestinian State.

In this connection, we welcome the various ideas put forward yesterday by the United States Secretary of State, Mr. Powell, after the "quartet" meeting in Washington, D.C., including holding an international conference early this summer.

I would like to assure the Council that the Japanese Government is determined to continue to promote the peace process in the Middle East by joining multilateral efforts.

The President: The next speaker inscribed on my list is the representative of the United Arab Emirates. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): At the outset, I would like to congratulate you, Sir, on your assuming the presidency of the Security Council for this month, and wish you every success. I also wish to thank your predecessor, Ambassador Lavrov of Russia, for the effective efforts he made in conducting the work of the Council last month. I also wish to support the contents of the Sudanese statement on behalf of the Arab Group.

Our meeting today embodies international concern vis-à-vis the method pursued by the Security Council in addressing one of the most dangerous and painful developments relating to the oldest and most discussed item on its agenda, which is the occupation by Israel of the State of Palestine and the continuation of the Middle East problem. Despite the recent set of Security Council resolutions, particularly resolution 1405 (2002) drafted and adopted by the American and

British delegations — which called, inter alia, upon the Israeli Government to cooperate with the important fact-finding team put together by the Secretary-General to investigate the war crimes perpetrated inside the Jenin refugee camp — we were surprised that these same States hastened to produce forms of retreat from the legal undertakings binding on the Israeli Government to disguise their failure in convincing the Israeli Government to abide by international resolutions.

What happened in the Jenin refugee camp is not subject to doubts or justifications. All signs and information have explicitly indicated the commission of systematic war crimes by Israel inside that camp, a crime punishable by international law. Otherwise, how can the world justify the signs of murder and comprehensive destruction of buildings and facilities over the heads of hundreds of their inhabitants, and the measures of tight military closure by the Israeli occupying forces to prevent access by international relief and news agencies to that camp, including independent United Nations elements? Why has Israel, after 12 days of consultations with the Secretary-General, persisted in resorting to marginalizing the fact-finding team to Jenin and hampering its arrival? Are not the results of these illegal policies and measures by Israel sufficient to understand the dimensions of the Israeli officials' desperate attempts to shirk their responsibilities and the consequences of the serious war crimes by their troops? Such policies should not be condoned or tolerated, no matter how long it has been since these crimes were committed.

We deeply regret the lack of a response among influential Security Council members to the demands of the Arab Group and to other peace-loving States calling for the preservation of the fact-finding team as the mechanism entrusted by resolution 1405 (2002) to investigate the facts and implications of massacres and war crimes committed inside that camp.

We consider that that measure, in addition to the efforts made by these parties to pressure the Israeli Government to force it to cooperate with that team were not at all enough. They were mild to a great extent compared to the unprecedented Israeli policy of blatant rejection and defiance. This runs counter to the provisions of the Charter, international resolutions and international protocols and regulations governing international relations, including human rights conventions, the Fourth Geneva Convention and others relating to decolonization, elimination of occupation, and rejection of systematic international terrorism.

While we express our disappointment at the unbalanced way in which the Security Council has followed up on resolutions relating to the occupied Palestinian territories, which has impeded the protection of the Palestinian people today, we call forcefully upon the Secretariat and the influential members of the Security Council to fully shoulder their responsibilities in line with the Charter, free from a policy of double standards and bias in favour of the more powerful side and against the weaker, injured party in this equation.

In this connection, we would like to emphasize the following. First, there is a need for the international community to condemn Israel, the occupying force, for its war crimes inside the Jenin refugee camp and in other parts of the Palestinian territories. It has to reject Israel's blatant attempts at justifying its crimes under the pretext of fighting terrorism.

Secondly, the United Nations has to fully shoulder its legal and ethical responsibilities to investigate Israeli crimes in Jenin. Those who are directly and indirectly responsible for these crimes should be tried along the lines followed by the United Nations in its war-crimes trials in Yugoslavia and Rwanda.

Thirdly, the international community must resort to Chapter VII of the Charter and take effective measures that would serve as a deterrent to Israel. This should be in a manner conducive to applying these resolutions in all the occupied territories, lifting the siege on the Church of the Nativity and the city of Ramallah, halting the murder and destruction by Israel of the Palestinian people, its leadership and its institutions, releasing the thousands of Palestinian detainees and ending the policy that impedes the delivery of relief supplies and assistance to areas affected by Israel's military incursions.

Fourthly, the international community should deal with Israel according to international resolutions as an aggressive occupying force. This requires the dispatch of a United Nations international force to protect the Palestinians, restore their territories, pave the way for restructuring their institutions and buildings destroyed by the Israeli military machinery, and develop social, economic, national, cultural and development programmes inside the Palestinian territories.

The President: The next speaker inscribed on my list is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hidayat (Indonesia): Let me begin by expressing my delegation's congratulations to you, Sir, upon your assumption of the presidency of the Security Council for the month of May and also thank your predecessor, the Permanent Representative of the Russian Federation, for his able manner in conducting the Council's deliberations at a crucial juncture of the unfolding developments in the Middle East.

Indonesia remains profoundly concerned at the humanitarian tragedy befalling the people of Palestine. The plight of the civilian population in several Palestinian towns, cities and refugee camps continues to worsen with a shortage of even the basic necessities of food and medical supplies. Equally alarming is the continuing siege of the Church of the Nativity in Bethlehem, much to the affront of the international community, which condemns it. Meanwhile, we are still grappling with what actually occurred in Jenin — the full extent of the death toll and material devastation.

My delegation therefore appreciates the efforts of the Secretary-General to implement Security Council resolution 1405 (2002), with the dispatch of a fact-finding team to assess accurate information regarding the recent events in Jenin. Regrettably, however, the visit did not materialize due to the lack of cooperation on the part of the Israeli Government, despite untiring endeavours to accommodate its concerns. This cannot but constitute yet another act of defiance against the will of the international community. The disbandment of the fact-finding team has therefore now left a void as to the true situation prevailing therein. It would have been in the interest of all concerned parties for the facts on the ground to become known, so that appropriate action could be taken to prevent the further deterioration of this humanitarian tragedy.

The fact that Israel continues to flout Security Council resolutions should in no way diminish the pressure on its Government. On the contrary, considering that the Council's credibility is at stake, it is incumbent on the international community to sustain its demand that the Israeli authorities fully implement its resolutions 1402 (2002) and 1403 (2002) in a prompt manner. In my delegation's view, there can be no respite from this escalating crisis unless and until there is an immediate withdrawal of all Israeli forces from the occupied Palestinian territories.

Finally, now more than ever, the Council has to take resolute and immediate action, including deploying the long-overdue international security force in the occupied Palestinian territories. It simply cannot remain passive vis-à-vis this dangerous and intolerable situation, with its attendant massive loss of life, human suffering and repercussions for regional peace and security. It is our earnest hope that our meeting today will contribute to the cessation of violence and bloodshed.

The President: I thank the representative of Indonesia for the kind words he addressed to me.

I should like to inform the Council that I have received a letter from the representative of Brazil in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Fonseca (Brazil) took the seat reserved for him at the side of the Council Chamber.

The President: The next speaker inscribed on my list is the representative of Morocco. I invite him to take a seat at the Council table and to make his statement.

Mr. Bennouna (Morocco) (*spoke in French*): Even though time is short, I should like to say to you, Sir, how pleased the Moroccan delegation is to see you presiding over the Council. I had the opportunity to admire your many skills long before you were President, and I am also aware of your clear-sightedness and your general willingness to listen to others talk about issues that do not concern you directly but are of importance to you as a person who desires peace and understanding among all nations. I should like to take this opportunity to thank you personally for all of the efforts that you have made.

My country has addressed the Council numerous times over the past few weeks, denouncing Israel's invasion of Palestinian cities and condemning the destruction of infrastructures and of all of the resources available to the Palestinian Authority, which it had built up with international assistance — inter alia significant assistance from the European Union — in order to serve its people.

Almost everything has now been destroyed. As each of us knows, the destruction was not a military necessity, but aimed simply at breaking apart what the Palestinian Authority spent 10 years building up in order to prepare for the advent of its Palestinian State.

Schools and hospitals have been destroyed. Social centres and libraries have been destroyed. Archives have been destroyed — and we saw this happening live — including the archives of the Palestinian national education system. Thus an entire people is increasingly being pushed into a situation in which it can feel only bitterness and despair.

We have spoken also about the Jenin massacre. The whole world has now been traumatized by the images we saw — images of a humanitarian disaster that will leave an indelible imprint on the memory of many generations of Palestinians to come. And, regrettably, this will only fuel the infernal cycle of hatred. Accounts by international civil servants and human rights organizations have corroborated the extent of the serious crimes committed in Jenin — a town of refugees and of poor people.

We know also that the Israelis have denied everything outright, denying the truth of the pictures we all have seen and denying the evidence. They have taken cover behind the statement that this is the way war operations are normally conducted.

Let me recall briefly that it was in these conditions that the Secretary-General, Mr. Kofi Annan, after consulting Israel and other important countries, decided to shoulder his responsibilities under the Charter and — as has happened in many other such controversial situations — decided to send an independent fact-finding team so as to be able to determine exactly what had happened. The persons involved were only to report what had happened.

It was not a question of passing value judgements or of assessing the situation — much less of accusing anyone in advance or of taking legal steps. General Assembly resolution 46/59 of 9 December 1991 — which Israel itself quoted — defines the nature of a fact-finding mission, and that is to simply report what has happened, without any other considerations.

The Security Council welcomed, by its resolution 1405 (2002) of 19 April, the Secretary-General's initiative to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team. The Secretary-General had the support of the entire international community in setting up a team consisting of eminent personalities who, through the work they had done, were known to be of unquestionable moral authority and ability.

The Israeli authorities then raised one objection after another to Mr. Kofi Annan, who then entered into extensive discussions with many experts here in New York. He provided them with all of the clarifications and assurances they requested. It was after all of this that he informed them of his decision to send the fact-finding team, which was to leave on 29 April.

The Israeli Cabinet requested postponements, which, frankly speaking, turned into one delaying tactic after another — from Saturday to Sunday to Monday, and so on — and finally it categorically refused to cooperate with the United Nations team. Of course, Mr. Kofi Annan had no option other than to draw the conclusions that he did.

Morocco would like to extend its full support to the Secretary-General. We pay tribute to him for the very open approach he took while at the same time standing firm by the principles and values that underlie this Organization. There was obviously no question of Israel's dictating its conditions or imposing the persons it wanted on the fact-finding mission and the way it wanted the mission to operate. The Secretary-General was very clear on that point and he acted properly.

Moreover, contrary to what Israel said, the team did not need Israel's prior authorization to go to Jenin, because Jenin is in occupied territory. By refusing to cooperate with the United Nations, Israel knew very well that it was dooming the team to fail, and that is what happened. Even more serious, the very credibility of the United Nations is now in peril. The newspapers even said today that such behaviour has made a mockery of the United Nations. That is very worrisome for the future of the maintenance of international peace and security, because all of us — even Israel — have an interest in preserving the United Nations.

The Secretary-General wrote to the President of the Security Council on 1 May, 12 days after the unanimous adoption of resolution 1405 (2002). He decided to disband the fact-finding team, but in so doing he also made Israel aware of its responsibilities. Mr. Kofi Annan spoke in diplomatic terms of the long shadow that would remain over events at Jenin if nothing were done. That shadow, unfortunately, will also darken Israel's institutions if no light is shed on those events. The victims are mourning the dead and are calling for justice.

That said, things cannot stop here. There has been a challenge to you, Mr. President, and to the Council, and the Council must respond to that challenge. The world cannot be paralyzed because a Member State refuses to cooperate with it. Work must continue on clarifying what happened at Jenin, using all available means. The Secretariat and all those of good will must be mobilized. A report must be made one way or another — if not through direct access, then through indirect access. There is a Moroccan proverb — "You cannot hide the sun with a sieve" — and our sun is the United Nations.

Beyond these tragic developments, we ardently hope that the current efforts to revive the peace process will make swift progress. Therefore, we would like Palestinians and Israelis to take another look at the future. Peace in the region and throughout the world is at stake. We know that our leaders — in particular His Majesty Mohammed VI — have done their utmost in the past few weeks to contribute to the efforts of all actors. The Kingdom of Morocco actively participated in the Beirut Arab summit's endorsement of the peace initiative of Crown Prince Abdullah of Saudi Arabia. Today we are prepared to encourage the holding of an international conference in the same spirit, based on the principle of land for peace and on respect for international law — a legal framework that is now well known.

At the same time, the Council's resolutions — from resolution 1397 (2002) to resolution 1405 (2002), including resolution 1402 (2002) — must be implemented. The Israeli troops must withdraw from the Palestinian towns, because there is no other alternative. Thus will negotiations begin and thus will Israeli and Palestinian children finally be able to look to the future with some hope.

The President: I thank the representative of Morocco for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Argentina. I invite him to take a seat at the Council table and to make his statement.

Mr. Listre (Argentina) (*spoke in Spanish*): First of all, we want to thank you, Sir, for having organized this debate and to wish you every success during your presidency. We are all aware of your ability and diplomatic skill and have no doubt that you will succeed.

Today, possibly more than ever before, it is clear that there is no alternative to peace in the Middle East and that there is no military solution to the conflict. It is also clear that the parties need the assistance of a third party to find a way out of the current situation. That is why we welcome the announcement made by Secretary of State Colin Powell yesterday in Washington, D.C., during the meeting of the "quartet" with regard to holding an international peace conference next June. We share Secretary Powell's view that the conference should discuss political, security, economic and humanitarian assistance issues in an integrated manner. In that context, we, along with most other members of the international community, have hope for the Saudi peace initiative adopted at the recent summit of the Arab League in Beirut and for the diplomatic efforts being carried out by the United States and the members of the "quartet".

We also welcome the recent agreement on Ramallah, which, with the cooperation of the United States and the United Kingdom, allowed President Arafat to regain his freedom of movement. We believe that there is now a new window of opportunity to relaunch an indispensable political dialogue. It is therefore essential that the parties renounce violence and adopt measures conducive to creating an atmosphere of confidence.

Argentina strongly condemns all acts of violence, terrorism, provocation, incitement and destruction, in particular indiscriminate attacks against a civilian population. In that context, we reiterate the concerns expressed by the heads of State of the Rio Group at its recent summit in San José, Costa Rica, concerning the military operations around the Church of the Nativity in Bethlehem, and we ask both parties to respect the integrity and immunity of and free access to the holy sites.

The past few weeks have demonstrated that violence only engenders more violence and resentment. We call on both parties to comply fully with Security Council resolutions 1402 (2002) and 1403 (2002). The Palestinian Authority must unequivocally condemn and punish all acts of terrorism. Israel, on its part, must withdraw from the occupied territories. Argentina supports resolution 1405 (2002), adopted unanimously by the Security Council on 19 April, and the Secretary-General's intense efforts since then to deploy a fact-finding team to the Jenin refugee camp. We regret that the investigation could not take place. We believe that the team would have conducted its assignment in the field in a professional and objective manner.

Finally, Argentina once again reaffirms its support for resolutions 242 (1967), 338 (1973) and 1397 (2002), for the inalienable right of the Palestinian people to establish their own independent and viable State, and for the inalienable right of Israel to live in peace within secure borders recognized by the international community, in particular by the States of the region. We call on parties to act with a true sense of compromise and make the necessary mutual concessions so that the vision of two States, Israel and Palestine, living peacefully side by side, can become one of the first achievements of the new millennium.

The President: I thank the representative of Argentina for his kind words addressed to me.

The next speaker inscribed on my list is the representative of the Islamic Republic of Iran. I invite him to take a seat at the Council table and to make his statement.

Mr. Nejad Hosseinian (Islamic Republic of Iran): I congratulate you, Sir, on your assumption of the presidency of the Council for this month and thank you for having convened this timely meeting on an important issue which continues to be the focus of the attention of the entire international community. I would also like to thank Ambassador Lavrov of the Russian Federation for the excellent manner in which he conducted the work of the Council in April.

The international humanitarian and human rights organizations are reaching consensus on the fact that the Israeli army perpetrated war crimes in the course of its latest incursion into the occupied territories, especially in the Jenin refugee camp. Having visited the war-stricken areas, these organizations have documented the atrocities committed by the Israelis. They have brought to light evidence which clearly points to the resort by the Israelis to indiscriminate and excessive force: firing from helicopters, razing houses with bulldozers, the wilful and unlawful killing of Palestinian civilians and the use of such civilians as human shields — measures clearly outlawed by international humanitarian law. These actions constitute highly visible war crimes that have been widely reported by the international media and could be documented with relative ease.

It is quite obvious that the Israelis blocked an official inquiry into their aggression with a view to averting the uncovering of evidence on massacres that their forces committed in Jenin and elsewhere in the occupied territories. By doing so, they are seeking, in vain, to conceal their hands, which are stained with the blood of innocent Palestinian refugees. And ultimately they are trying to continue to act with the impunity from which they benefit, in complicity with those who rely merely on force in conducting their foreign policy.

World public opinion is reflecting dismay at the circumstances that led to the decision to disband the fact-finding mission to the Jenin refugee camp. It is being seen as another example of the double standards which have paralysed the United Nations for quite a long time. The acquiescence of the United Nations to Israel's refusal to cooperate with the panel will unfortunately cast a long shadow over the activity of the Security Council for a long time to come and will affect its efficiency and credibility in dealing with other current and future crises.

It is unfortunate that the Security Council and, to some extent, the whole United Nations system, has once again proved powerless in the face of the protection accorded to the Israeli regime. It would not be an exaggeration for me to suggest that what happened to the Jenin fact-finding team was a blow to the credibility and authority of the Security Council. Henceforth, there are several relevant questions that should be asked. How can any effort on the part of the Council to compel implementation of its resolutions look legitimate in the eyes of peoples across the globe? How can the United Nations hope to enforce any future inspections or investigations when it has willingly backed down on the one mandated for Jenin?

While appreciating the efforts made by the Secretary-General and his representatives to alleviate the impact of the Israeli atrocities against the

Palestinians, we believe that the dissolution of the fact-finding team was premature and that efforts with a view to having it fulfil its mandate were yet to be exhausted. The team might have been able to fulfil its mandate by employing means other than visiting the scene of the crimes.

We share with the rest of the world the conviction that the occupation by the Israelis of Arab lands, whether Palestinian, Syrian or Lebanese, lies at the heart of the crisis and conflict in the Middle East. It is hypocritical and deceitful to ignore such a root cause of the crisis and, instead, to try to draw attention to this or that particular tactic that this or that group may employ.

We are deeply concerned about the decision to abort the fact-finding mission. We also deplore the Council's failure to take firm action under Chapter VII of the Charter to stop the Israelis from continually flouting its resolutions. We believe that the United Nations must use all necessary means to force Israel to comply with the demands of the world community. In our view, it is essential that the Israelis, who ordered and actually committed war crimes against civilians in the Palestinian occupied territories, be brought to justice. It is also essential that the international community take a fresh look at the question of whether a regime inclined readily to commit crimes against innocent people and flout the Council's resolutions and the principles of international law can still claim a place in the world's multilateral organizations.

The President: I thank the representative of the Islamic Republic of Iran for his kind words addressed to me.

I should like to inform the Council that I have received a letter from the representative of Lebanon in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Diab (Lebanon) took the seat reserved for him at the side of the Council Chamber.

The President: The next speaker on my list is the representative of Brazil, I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil): Mr. President, we are very pleased to see you presiding over this meeting. We are confident that under your able guidance, the Security Council will have a productive month, especially with regard to the situation in the Middle East.

This is a moment of perplexity for the entire international community. The facts are clear. The Israeli authorities have just caused grave damage to their own cause and their own credibility by refusing to cooperate with the United Nations fact-finding mission that they themselves had welcomed.

The international community has both a right and an obligation to know exactly what happened in Jenin. As long as the Israeli authorities refuse to open it to international scrutiny, the dark clouds around this issue will continue to haunt us. However, this obstruction will not prevent the truth from surfacing, as it is indeed surfacing through the efforts of independent agencies and through the reports of international personnel stationed in the region. In these reports, there seems to be compelling evidence that violations of human rights and breaches of international humanitarian law were, in fact, committed in the raids on Jenin.

While expressing our full support for Secretary-General Kofi Annan and our understanding for his decision to call off the mission, we cannot but regret it in the strongest possible terms. We deplore attempts to tamper with well-established practices in the conduct of fact-finding missions and cannot condone the fact that the respectability and impartiality of the team, which was to be led by the former President of Finland, Mr. Ahtisaari, has been put into question.

Beyond the immediate consequences of the Israeli decision not to cooperate with the United Nations, we must also ask ourselves about the impact of this course of events on the credibility and authority of the Security Council itself. The Security Council cannot be perceived to be a secondary player in the search for peace in the Middle East. Nor can its decisions be blatantly dismissed or disregarded by any party.

We fully appreciate the need for initiatives aimed at building up pressure on the parties to take resolute steps towards a peaceful solution of the conflict in the Middle East. In this respect, we welcome the active engagement of, and the leadership role played by, the members of the "quartet" especially and by the many leaders of the region in a position to act as real brokers in the dispute between Israelis and Palestinians.

We are pleased that recent efforts have allowed the siege of the Palestinian Authority compound in Ramallah to be finally lifted, thus restoring — we hope — President Arafat's required freedom of movement.

We are encouraged to learn that the "quartet" is prepared to push ahead with proposals for a ministerial conference to deal in a comprehensive manner with the security, humanitarian, economic and political aspects of the crisis. This proposal nevertheless needs to be fleshed out, as its terms are still extremely vague.

The central issue to be resolved in the Middle East has to do with the illegal foreign occupation and the denial of self-determination. The Council needs to be clear and unequivocal on that point.

While renewing our call for a cessation of all acts of violence, terrorism and the killing of innocent civilians, provocation, incitement and destruction, we appeal once again for a total withdrawal of Israeli armed forces from the occupied Palestinian territories, for an end to illegal settlements, for a resumption of political talks with the Palestinian Authority and for an end to the military siege of the Church of the Nativity. We also renew our call on both parties to show a genuine willingness to work for peace.

We remain convinced that an effective international presence is required immediately. It is indeed overdue, and we support in every possible way the call made by Secretary-General Kofi Annan in this respect.

Finally, let me restate my country's willingness to cooperate actively in any action the Council and the international community deem appropriate in our collective pursuit of a better life and future for both Israelis and Palestinians.

The President: I thank the representative of Brazil for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Lebanon. I invite him to take a seat at the Council table and to make his statement.

Mr. Diab (Lebanon): Allow me, Sir, to congratulate you on assuming the presidency of the Council and to express our usual confidence in you and your team.

Not long ago, on 19 April 2002, the Security Council unanimously adopted resolution 1405 (2002), welcoming the initiative of the Secretary-General to develop accurate information regarding recent events in Jenin through a fact-finding team. Furthermore, the Council explained that it unanimously adopted that resolution to voice its concern over the dire humanitarian situation of the Palestinian civilian population, and it called for further lifting of restrictions imposed, in particular on the Jenin refugee camp and on the operations of humanitarian organizations. It emphasized the urgency of access for medical and humanitarian organizations to the Palestinian civilian population.

Let us recall whom the Security Council was answering when it adopted resolution 1405 (2002) on 19 April. The cry that was voiced by top United Nations aid officials on Monday, 8 April, at the beginning of the Israeli massacres in the refugee camp in Jenin says it all. Mr. Peter Hansen, head of the United Nations agency assisting Palestinian refugees in the region, issued a strong statement that day, calling for the Israeli military to cease what he described as "the bloody assault" on camps in the West Bank. He further said that "the Israeli Defence Force has made a hellish battleground among the civilians in the Balata and Jenin refugee camps". He continued, saying,

> "We are getting reports of pure horror — that helicopters are strafing civilian residential areas; that systematic shelling by tanks has created hundreds of wounded; that bulldozers are razing refugee homes to the ground; and that food and medicine will soon run out. In the name of human decency, the Israeli military must allow our ambulances safe passage to help evacuate the wounded and deliver emergency supplies of medicines and food."

On Israel's disrespect for international humanitarian law, the chief of the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) noted that Israel was a signatory of

international conventions that protect non-combatants in times of conflict. He said:

> "Those conventions are worthless if they are not adhered to precisely at times of the greatest blood-letting. The world is watching, and Israel needs to end this pitiless assault on civilian refugee camps."

The Director of UNRWA operations in the West Bank, Richard Cook, warned that "a humanitarian disaster is in the making in Jenin". UNRWA further reported on that same day that bodies were piling up in the corridors of the Jenin hospital, where 30 people were reported to have died in the previous 36 hours.

These Israeli breaches of the human dignity of the Palestinian population, of all international covenants, international law, international humanitarian law and the Fourth Geneva Convention and its Protocol will be repeated on a daily basis. The same calls for Israel to end these atrocities will be voiced by many other top officials of the United Nations and humanitarian agencies.

For instance, on Friday, 12 April, afraid to reveal its war crimes, Israel denied entrance to the camp to the visiting commission led by the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, who was entrusted with carrying out tasks mandated by the United Nations Commission on Human Rights. Ms Asma Jahangir, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, expressed clearly what happened that day when she pointed out that continued denial of access to the Jenin refugee camp by Israel would only lend further credibility to the allegations made by independent sources and said it was now urgent that the mission be allowed to enter Jenin.

The list goes on and on. But Secretary-General Kofi Annan summed it up on Thursday, 18 April, when he said that he was deeply disturbed by the report he described as being of horrific devastation, which he received from two top United Nations officials in the Middle East who had visited parts of the Jenin refugee camps earlier that day. It was to these voices that the Security Council responded on 19 April by endorsing the Secretary-General's initiative to dispatch a fact-finding team to develop accurate information regarding recent events in the Jenin refugee camp.

On 24 April, one week after the initiation of the team, the President of the Council, speaking on behalf of the Council, said that the 15-member body fully "supported the Secretary-General's efforts", that is, to implement resolution 1405 (2002), adopted the previous week and which welcomed the Secretary-General's Jenin initiative.

The Jenin refugee camp lies within the municipal boundaries of the Palestinian city of Jenin, with a population of almost 13,000 persons who are registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). They live on 373 dunums, the area of one square kilometre. The camp's residents were pushed out of their villages, which were occupied by Israel. Many of the refugees still have relatives in the occupied villages, which can be seen from the camp. It was not enough for Israel to deprive the Palestinian refugees in Jenin of their basic rights; after more than half a decade, the Israelis followed them into the camp to bulldoze it over their heads, depriving them even of their right to live.

A report on the human rights situation in the occupied Palestinian territories, released by Mary Robinson, on 24 April, said that "UNRWA estimates that in the Jenin camp 800 dwellings have been destroyed and many more damaged, leaving 4,000 to 5,000 people homeless." Putting it in actual figures means that almost one third of the population of the camp has been displaced. We ask, does it sound like an investigation by the Council is urgent? How many of a population of 13,000 Palestinian refugees have been massacred in the Israeli invasion of the camp? How many dunums have been razed in this 1 square kilometre refugee camp? How many civilians have been buried under the rubble? Are we ever going to be allowed to find out?

It is imperative that the Security Council answer the calls of the international community and United Nations agencies, which are commended for their impartiality, and not bow under the pressure of the Israeli occupying forces who are accused of these crimes that we are asking the Council to investigate.

Mrs. Robinson sums it up best when she emphasized 10 days ago that "there is a need for accountability on all sides for what has happened". She further warned that failure to investigate widespread allegations of serious human rights abuses "risks

undermining the integrity of the international human rights system".

Let us ask, is the urgency that has been voiced since 8 April any less today? The Secretary-General says "no". He provided the answer after the meeting of the "quartet" yesterday, 2 May, in Washington, D.C., when he responded to a question asked by the press. The press asked in Madrid three weeks ago: "You said that you thought that the international community would be appalled by what it discovered there. Have you changed your evaluation on the basis of what you know now?" The Secretary-General replied to the question saying, "I think that we have all seen the reports and the pictures that are coming out of Jenin, and I think my description then was not exaggerated."

The reasons given by the occupying Power — Israel, the accused of these war crimes — and its questioning of the team's fairness should be rejected for the sake of preserving the credibility of the Secretary-General and this body and respecting its resolutions.

Let us not forget the criteria for the selection of the team members, as expressed by the Secretary-General at the time of its dispatch. The Secretary-General said,

> "I have tried to put together a team with considerable experience. ... the members of the team are ... highly respected and independent. ... I hope I have put together a team that everyone would accept as being competent and the best that we could have put together."

Israeli allegations in order to disrupt the team's mission should be rejected outright.

Finally, my delegation joins the majority of United Nations Members, declaring our outrage at and condemnation of Israeli practices, the wilful killing, the vast destruction and other atrocities committed by the Israeli occupying forces against the Palestinian people, especially since the start of the Israeli military assault on Palestinian cities and the Palestinian Authority on 29 March 2002.

We join the Security Council and the Secretary-General in expressing our grave concern at reports on war crimes and of a massacre committed in the Jenin refugee camp and in other Palestinian cities. We condemn what has become an Israeli culture of acting with impunity and in disregard of Security Council resolutions. The Council needs to reiterate support for its resolution 1405 (2002) and to provide full accountability for what happened in the Jenin refugee camp in order to put an end to the application of double standards in the implementation of its resolutions.

The Security Council is still responsible for the full implementation of resolutions 1402 (2002) and 1403 (2002) and for ensuring the end of the Israeli military siege of the Church of the Nativity in Bethlehem.

The President: I thank the representative of Lebanon for his kind words addressed to me.

The next speaker inscribed on my list is His Excellency Mr. Ravan A. G. Farhâdi, Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a seat at the Council table and to make his statement.

Mr. Farhâdi: First of all, I wish to warmly congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May. I am confident that, under your able leadership, the work of the Council will be carried out in a constructive and efficient manner.

I wish also to take this opportunity to congratulate your predecessor, Ambassador Lavrov, Permanent Representative of the Russian Federation to the United Nations, on the exemplary manner in which he steered the work of the Council during the month of April.

I am grateful to you, Sir, as well as to the other members of the Council, for having given me this opportunity to address the Council in my capacity as Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

The Committee is greatly dismayed by the fact that the Security Council has been impeded in its ability to follow up on its own resolutions regarding the situation in the occupied Palestinian territory, including Jerusalem. We believe that it is a great disservice to the effectiveness of the Council and to the credibility of the United Nations as a whole that the fact-finding team, set up to establish the facts on recent events in Jenin, had to be disbanded because of the refusal of the Government of Israel to cooperate with the United Nations. It is indeed unacceptable that the

record of Jenin cannot be set straight. The Israeli Government's decision is an affront to the United Nations and to this Council. The international community has every right to know and to be able to assess all the facts of this humanitarian tragedy. We also deeply regret the failure of the Council to discharge its responsibility under the Charter and to take firm steps in the face of outright contempt for its positions and decisions.

As the Secretary-General has noted, the "long shadow cast by recent events in the Jenin refugee camp will remain" (*S/2002/504*) and will haunt us all. Although time works against an investigation and, of course, the refusal to cooperate on the part of the Israeli Government makes the exercise particularly difficult, we believe that an account of the recent horrible events — as accurate, thorough and credible an account as possible — should be made, even if the evidence is not collected directly by a United Nations fact-finding team. The Security Council, or, if the Council should fail again, the General Assembly should look into the possibility of that. The sooner it does so the better. It would be better than going back years later, as has tragically happened in other parts of the world.

This is not about assigning blame, but about justice and fairness. It is about deterring and hopefully putting an end forthwith to the brutal acts that have been perpetrated by the Government of Israel in contravention of international humanitarian law and its continuing attempts to humiliate, subdue and perhaps uproot the Palestinian people. Jenin is a glaring, yet by no means the only, example of this kind of unacceptable and morally reprehensible behaviour by the occupying Power. The Bureau of our Committee, in a statement that was issued on 5 April, expressed its strong views on recent events in the occupied Palestinian territory.

Our indignation at and profound concern about what has happened in Jenin, Ramallah, Bethlehem and dozens of other Palestinian towns and villages in the course of the past three months cannot prevent us from welcoming some of the promising developments of the last couple of days. The besieging of Chairman Arafat's compound has at long last been brought to an end and the President of the Palestinian Authority, strengthened rather than diminished by his ordeal, is now free to exercise his leadership.

Yesterday's announcement by the "quartet" of its intention to work towards convening an international meeting on the question of Palestine is also encouraging and has been widely welcomed. Other ideas concerning the restoration of the political dialogue are also being floated. In all these new efforts, we should not lose sight of the fact that Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) and the underlying principle of land for peace offer a solid foundation for any initiative aimed at creating a workable framework for the achievement of a comprehensive, just and lasting peace in the region. Security should not be the only dimension discussed, but it certainly should go hand in hand with political and economic arrangements. A clear-cut and manageable time line for future negotiations and the implementation of their results should be established. Extremists on either side should not be given a veto over the process and their acts should not be used as an excuse to stall progress. An international presence of some sort should be established, certainly for the implementation period, if not before. The universally upheld vision of a sovereign Palestinian State should be realized in a just and viable way, with contiguous territory and internationally recognized and guaranteed borders.

The Arab countries have already accepted this framework and have, in a way, extended an olive branch to Israel through the endorsement of Crown Prince Abdullah's initiative at their summit in Beirut in late March. It is the Israeli Government that now has to reciprocate in good faith and to prove in practice that it desires peace. The Israeli occupation has to end and the Palestinian people must be given an opportunity to exercise its inalienable rights.

We call upon the entire United Nations membership and on the Council to rally behind this vision of peace and to take all necessary steps to make it a reality within the limited window of opportunity that seems to have emerged once again. Of course, the United Nations should continue to maintain its permanent responsibility towards all of the aspects of the question of Palestine until it is resolved in a satisfactory manner, in conformity with the relevant United Nations resolutions, in accordance with international legitimacy, and until all of the rights of the Palestinian people are fully realized.

The President: I thank Mr. Farhādi for the kind words he addressed to me.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): At the outset, I should like to say how pleased I am to see you presiding over the Council. I wish also to associate myself with the words of tribute voiced by others to you and to the delegation of Singapore. We feel sure that under your guidance the work of the Council will proceed smoothly, and we will do our utmost to assist you in that respect. I should like also to thank all of those delegations that today expressed kind words to the Russian delegation in connection with our presidency of the Council last month.

Once again we are considering the very serious situation prevailing in the Middle East. Unfortunately, the Palestinian-Israeli conflict continues. People are dying and serious material damage is being done in the Palestinian territories, where a humanitarian tragedy is now unfolding.

In order to normalize the situation, a multifaceted effort by the international community is needed. That was the focus of the Washington meeting, held on 2 May, of the "quartet" of international mediators at the ministerial level, in which the Secretary-General participated.

The "quartet" came out strongly in favour of specific, urgent and collective action to restore peace to the region of the Middle East, on the basis of the implementation of Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), and of the Saudi Arabian initiative endorsed at the Arab summit in Beirut.

Russia believes that all resolutions of the Security Council must be fully implemented. Any double standard in this respect would simply undermine the authority of the Security Council and give rise to doubts on the part of the international community as to its ability to exercise its authority under the Charter of the United Nations in the area of the maintenance of international peace and security.

We see no justification for the Israeli Government's refusal to accept the dispatch of a fact-finding team to the Jenin refugee camp, as proposed by the Secretary-General and endorsed in resolution 1405 (2002). We fully support the actions taken by the Secretary-General in that connection. Unfortunately, his efforts were not crowned with success, due to the stance taken by Israel.

The main issues at this point are to resolve the situation with respect to the Church of the Nativity in Bethlehem; to take urgent measures to rebuild the infrastructures of the Palestinian Authority; and to address the humanitarian crisis.

Russia firmly believes that, along with these diplomatic efforts, we must take practical steps in order to find a way out of the Middle East tragedy on the basis of a resumption of a political process aimed at a settlement. That is the focus of the initiative to prepare for a peace conference in the Middle East, which was put forward on 2 May at the ministerial meeting of the "quartet" in Washington. Russia, as a co-sponsor of the peace process, will continue to be actively involved in those efforts.

The President: I thank the representative of Russia for the kind words he addressed to me.

Mr. Ryan (Ireland): I congratulate Singapore on assuming the presidency, and I congratulate the Russian Federation on its efficient handling of business last month.

The international community had a right to expect that the fact-finding team would have been working on the ground by now. Why that right? Why that expectation? The international community based its expectation on two facts primarily.

First of all, two Israeli Cabinet ministers — Foreign Minister Peres and Defence Minister Ben-Elizer — gave a clear commitment to the Secretary-General that Israel would cooperate with the team. The Secretary-General took that commitment in good faith, and he acted on it in good faith, with our fullest support.

Secondly, resolution 1405 (2002) provided straightforward language that defines the mandate of the fact-finding team in language that was provided by the sponsor itself. We also heard clearly the assertions made by Israeli ministers and spokespersons that Israel had nothing to hide. If that were the case, then it was reasonable to assume that Israel would only have benefited from the presentation of accurate information to the world.

The Government of Ireland was happy to contribute to the fact-finding effort by allowing the release of senior police officers with very extensive counter-terrorism experience to participate in the fact-finding team. This corresponded to, and responded

positively to, one major concern expressed to the Secretary-General by the Government of Israel regarding the composition of the team.

Ireland has fully supported the approach that Secretary-General Annan had taken to this matter since the adoption of resolution 1405 (2002) two weeks ago. Consistent with this, we understand and support the conclusion that both he and President Ahtisaari reluctantly reached — as conveyed to the Council in the Secretary-General's letter of 1 May — that, first, due to the decision of the Government of Israel, it proved impossible for the fact-finding team to travel to the area to begin its work; and that secondly, and in consequence, he was left with no option but to disband the team.

Ireland believes that the Council should collectively respond to the Secretary-General. It should express its fullest support for the Secretary-General's approach, for his efforts and for his judgment, and it should condemn in forthright terms the decision of the Government of Israel to prevent the fact-finding team from proceeding to the area and beginning its mission, and repudiate absolutely any impugning of the quality and the composition of the team from sources at various levels within Israel. We also attach the highest importance to a unified response by all members of the Council.

It will be very clear from successive statements that Ireland has made in the Council that Ireland shares with the Palestinian people, with the family of Arab States and with decent people everywhere a sense of sadness and repugnance at the acts that have been systematically perpetrated in Jenin and elsewhere in recent weeks. It is deeply regrettable that we will now not have professionally collated full and accurate information on Jenin based on an impartial and balanced investigation on the ground, due to the decision of the Government of Israel. Israel will be the loser from this decision, and Ireland regrets this very much.

Ireland greatly welcomes the outcome of the meeting of the "quartet" held in Washington yesterday and the fact that the members reinforced their determination to continue working as a group with the parties and others in the region to bring about a just, lasting and comprehensive peace. We greatly welcome the prospect of negotiations based on resolutions 242 (1967), 338 (1973) and 1397 (2002) and the Saudi proposal, as endorsed by the League of Arab States at its summit in Beirut. We welcome with undisguised relief the lifting of the siege of the headquarters at Ramallah and we commend those who worked hard on the arrangements that led to the peaceful resolution. We hope that the situation at the Church of the Nativity will also be brought rapidly to a peaceful conclusion without any further bloodshed.

It is evident that the way forward is through parallel progress on the security, economic and political fronts towards a solution that will provide Israel with the peace and security to which it has every right and satisfy the legitimate national aspirations of the Palestinian people, which have remained unfulfilled for far too long.

The President: I thank the representative of Ireland for his kind words addressed to my delegation.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): My delegation has already had the opportunity to congratulate you, Sir, on assuming the presidency of the Security Council. We want to let you know that we are here to cooperate fully with you to ensure the full success of your mission. That success will also mean success for the Council, for the United Nations and for peace. In the past few days, despite emotions that have run high, you have been able, under difficult conditions, to preserve an atmosphere of calm in the Council. That atmosphere has encouraged us to engage in thorough discussions of the matter that we are gathered to consider today. My delegation is extremely grateful to you for acceding to the well-founded request of the Arab Group to convene this meeting.

The circumstances that made this meeting necessary are well known: the situation created by the impossibility of sending the fact-finding team to Jenin. However, this meeting is also an opportunity for us to take an overview of the whole situation. In that regard, certain advances have been made in the past few days that have been recalled frequently throughout this debate. First, there was the lifting of the siege of the headquarters of the Palestinian Authority in Ramallah and the restored freedom of movement of President Arafat. We urge respect for the sacred and inviolable character of the Church of the Nativity.

Another advance was yesterday's meeting of the "quartet" in Washington, D.C., which allowed the emergence of some positive elements, among which

figured the proposed international conference on peace in the Middle East. That peace, we reiterate, has a prerequisite: the settlement of the question of Palestine, which is the heart of the conflict, has claimed so many victims and has led to so much destruction in the region. We appreciate the steps taken by the Secretary-General to prepare for the conference, which could take place this summer.

Another positive element that emerged from the meeting of the "quartet" was the international community's urgent need to take a more comprehensive approach to solving the issues of security, humanitarian needs and the reconstruction of Palestine and of the Palestinian Authority's infrastructure, built up after so many years of effort and reduced to rubble in just a few days.

However, none of this progress can outweigh our bitter disappointment today. That disappointment and growing anger have been provoked by the non-compliance with resolution 1405 (2002), in particular operative paragraph 2, by which the Council welcomes the initiative of the Secretary-General to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team and requests the Secretary-General to keep it informed. Had the provisions of that paragraph been respected, things could have been very simple.

The Secretary-General is to be commended for deploying a rich imagination in his praiseworthy efforts to ensure the implementation of the resolution. Unfortunately, however, there was no response in kind to those efforts and Cameroon regrets that the fact-finding team was, in fact, unable to carry out its mission on the ground in Jenin. That mission should have enabled the Security Council to be adequately informed about what had really happened in Jenin and would have provided the Council with an equitable and irrefutable basis for considering the ways and means to rebuild trust between the parties and thus to relaunch the peace process.

Cameroon notes the Secretary-General's decision to disband the team of eminent personalities. We reaffirm our full support for the Secretary-General's tireless efforts aimed at finding a negotiated solution to this crisis. Having studied the Secretary-General's letter to the Security Council, my country regrets the decision but understands it, because the Secretary-General said that time played a critical role. With the situation in the Jenin refugee camp changing by the day, it will become increasingly difficult to establish with any confidence or accuracy the events that took place there recently. The position adopted by the Secretary-General was very responsible; he was not willing to go along with a report that was not based on the facts.

At one point, we believed that the impossible could happen, but the Secretary-General warned the Security Council and asked it through his representative not to entrust him with an impossible mission. At a certain point we said — and we continue to believe — that the Secretary-General must do everything possible to obtain information about the events in Jenin and to report thereon to the Council. In this connection, Cameroon reaffirms its complete support for the Secretary-General.

I said earlier that Cameroon is following very closely and fully supports all initiatives aimed at easing tensions and restoring peace in the region. That is why, as I said earlier, we welcome the decision taken by the "quartet" to convene an international conference on the Palestinian question this summer.

In conclusion, Cameroon would like to assure you, Mr. President, of its readiness to work with you in truth, transparency and full respect for the interests of all as we seek a comprehensive and lasting solution to this problem so that peace may reign in people's hearts and minds. Without peace in hearts and minds, there can be no peace in the Middle East.

The President: I thank the representative of Cameroon for his kind words addressed to me.

Mr. Diallo (Guinea) (*spoke in French*): Two weeks ago, the Security Council, after tough consultations, unanimously adopted resolution 1405 (2002), which welcomes and supports the initiative of the Secretary-General to establish a fact-finding team to shed light on the events that took place in the Jenin refugee camp in occupied Palestinian territory. Immediately after the adoption of that resolution, the Secretary-General began to take the necessary steps to set up the team, while clearly explaining its nature and objectives.

In the days that followed, the Secretary-General set up the team, comprised of eminent personalities who had proved themselves at the highest international level. Those people were accompanied by experienced

experts, military and security specialists and forensic and general support staff.

The Secretary-General's initiative — which, at the outset, was accepted by the Israeli Government — was increasingly questioned by that Government on various pretexts, with the intention of delaying or even jeopardizing the dispatch of the team. Those pretexts included, inter alia, the composition of the team, the scope of its mandate, the way in which the mandate would be carried out and other procedural matters.

As the Council knows, throughout the negotiating process, the United Nations, far from being discouraged, outdid itself in responding to the questions raised by the Israeli authorities. Indeed, the mandate of the team was clearly established: it was to gather credible information about the events in Jenin and to provide an account to the Secretary-General who, in turn, would inform the Security Council.

After procrastination and delay, the Israeli cabinet's decision finally reached the Secretary-General and the Council in the form of a refusal to cooperate with the dispatch of the mission. My delegation regrets that decision, which, as many other speakers have already pointed out, could affect the credibility of the Council.

Faced with that obstinate refusal, the Secretary-General reluctantly decided to disband the fact-finding team, because it was clear that, without the agreement and the cooperation of all the parties concerned, it would not be possible for the mission to go to Jenin, still less to proceed to undertake an impartial and credible investigation based on the facts on the ground.

My delegation does not want the Israeli Government's refusal to cooperate to lead to increasingly rigid attitudes or to a polarization of positions and the further stalling of the peace process in the Middle East. Everything must be done to persuade the Israeli Government to cooperate in resolving the crisis, within the framework of respect for its international obligations.

That is why we believe that the Security Council as a whole should consider what new measures might be adopted so that the events that took place in Jenin can be fully clarified. My delegation is very willing to work closely with other delegations to that end.

In conclusion, we welcome the meeting of the "quartet" that took place yesterday in Washington, D.C., which committed itself to working with the Arab Governments and the rest of the international community to restore peace in the Middle East on the basis of security, political, economic and humanitarian considerations.

We encourage the "quartet" to implement its decision to organize an international conference early this summer, which, we are convinced, would make it possible to adopt concrete measures aimed at the achievement of that objective.

Mr. Cunningham (United States): Many of those who have spoke today have discussed resolution 1405 (2002) — a resolution that the United States sponsored. Let me be clear for the record on the meaning of that resolution, lest its purpose be distorted. My Government was and remains concerned about the humanitarian situation of the Palestinian civilian population and in the Jenin refugee camp. The resolution called for the lifting of restrictions imposed on the operations of humanitarian organizations and emphasized the urgency of their access to these civilians. It also welcomed the initiative of the Secretary-General, with the cooperation of the Government of Israel, to establish the facts about events in the Jenin refugee camp. That is, the Council welcomed and supported an effort that was just then coming into being. It did not require or demand anything of the Secretary-General, the Government of Israel or the Palestinians. It welcomed an effort to develop accurate information about what had happened.

While it is regrettable that the Government of Israel decided in the end that it would not be able to cooperate with this initiative, we supported the Secretary-General's efforts and his conclusion that it was not possible for him to implement his initiative to dispatch a fact-finding team. We supported his decision under the circumstances to disband that team. We also favoured the Council's responding to the Secretary-General's letter on this subject along those lines. We proposed a draft resolution, which I believe commanded the support of the vast majority of Council members, but action on it was blocked.

We also would have supported a letter from the Security Council President in response, but action on that was blocked as well. Now we are addressing

present needs and looking to the future. The United States, along with others, is dealing urgently with the humanitarian situation of the Palestinians, including in Jenin.

Before moving to other areas of discussion tonight, I also want to note that speakers here have repeatedly referred to a massacre in Jenin. As facts do emerge and are emerging, there seems to be growing clarity that there is as yet no evidence that a massacre occurred in Jenin.

We have also heard invoked other recent Council actions on the Middle East. As you will recall, Secretary Powell embarked on his April mission to the Middle East with a mandate from President Bush to pursue implementation of resolution 1402 (2002). That resolution calls upon both parties to move immediately to a meaningful ceasefire, calls for the withdrawal of Israeli troops from Palestinian cities, including Ramallah, and demands an immediate cessation of all acts of violence, including acts of terror, provocation, incitement and destruction.

No one should be surprised that it has taken time and hard work, but we have seen significant progress in recent days. Most notable is the peaceful resolution of the situation in Ramallah, in part thanks to the hard work of the United States. Yet here in New York, one would hardly know anything positive had occurred this week. The reality is that there has been significant movement towards implementation of Council resolutions by the parties with the help of many international actors. We welcome those positive developments.

United States diplomatic efforts continue without pause. Yesterday in Washington we convened a meeting of the "quartet". The "quartet's" members are committed to working with the Israelis and the Palestinians, with Arab Governments and the international community to restore the hope of all the people in the region for a peaceful, secure and prosperous future.

Our Middle East strategy, worked out in coordination with the "quartet", embraces the principles and goals set forth by President Bush, by Crown Prince Abdullah and by United Nations Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002). It consists of three elements.

The first element is the restoration of security from terror and violence for Israelis and Palestinians. We are encouraging Chairman Arafat to do everything possible to restore calm. We want to see established effective and responsible Palestinian security institutions which will work closely with Israeli institutions to rebuild confidence.

The second part of our strategy is to address the urgent humanitarian needs of the Palestinian people and help build strong, accountable, democratic and market-oriented institutions for Palestinians, as the basis for a vibrant Palestinian State. Right now, the Palestinian people need access to jobs, access to markets, food, medical supplies and all kinds of things to relieve their suffering. We are determined to respond to those needs. This is in keeping with the message of resolution 1405 (2002). All those in the international community who can help meet the humanitarian needs of Palestinian civilians should be part of this effort. We welcome the commitments made in Oslo last week to provide over $1 billion in assistance. The United States, itself, has over $300 million dedicated to aid to the Palestinian people. We continue to work with all concerned on an urgent basis to meet the pressing needs in Jenin, as well as throughout the West Bank and Gaza.

As the third part of our strategy, we committed ourselves to the promotion of serious and accelerated negotiations towards a settlement. Yesterday, the "quartet" discussed how best to begin to prepare for an international conference this summer, including a set of principles to serve as the basis for the meeting. As Secretary Powell said, it is time for prompt action to take advantage of this new window of opportunity that has been presented to us, and we intend to do just that. I think the other members of the "quartet" agree with that intention.

The United States is deeply committed to doing all it can to help bring about a just, comprehensive and lasting peace in the Middle East. We have seen ample evidence in recent months that terrorism and the use of force only move the parties further from that goal. We continue to hold fast to the belief that the only way forward is through negotiations guided by Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002). We have seen that sustained diplomatic efforts on the ground in the Middle East can produce results. Our sincere hope is that the positive events of recent days will be followed by more encouraging

developments that begin to restore hope to both Israelis and Palestinians.

Mr. Franco (Colombia) (*spoke in Spanish*): As we meet today, we regret the Secretary-General's decision to disband the fact-finding team on recent events in Jenin, which the Council welcomed in resolution 1405 (2002) after the vote of approval from all our countries on 19 April.

The team created by the Secretary-General was a high-level group composed of persons with impeccable professional careers and unquestionable ethical qualities. We applaud the desire of President Martti Ahtisaari and his team to play a constructive and definitive role in shedding light on the events in Jenin, and we are grateful for their willingness and patience during these days of uncertainty with regard to the team's future.

We have witnessed some encouraging signs in the midst of widespread tragedy and despair, thanks to the intense diplomatic activity involving, among others, the Governments of the United States and the United Kingdom. The lifting of the siege on President Arafat's headquarters, the resulting political strengthening of the Palestinian leader and the proposal of the United States to convene a conference on the Middle East, announced following the meeting of the "quartet" in Washington yesterday, all deserve our recognition.

The initiative of holding an international conference deserves support. The bases for negotiation are well known: resolutions 242 (1967) and 338 (1973) and the principle of land for peace. The proposal of the Crown Prince of Saudi Arabia, which was endorsed at the recent Arab Summit and in resolution 1397 (2002), recently adopted by the Security Council, was another element that must serve as the basis for negotiations. The diagnosis is clear. It is necessary to attend simultaneously to the three fronts of security: humanitarian care, economic recovery and the political process. A partial solution involving only one of those aspects without taking into consideration the others cannot lead to a lasting solution.

The encouraging news, however, continues to be troubled by the Israeli Government's notorious objections to the Secretary-General's fact-finding team for Jenin. My delegation deeply regrets Israel's refusal to cooperate with this team in a timely fashion, and therefore it regrets the fact that the Secretary-General was forced to disband it. We offer our full support to the Secretary-General, and we support the conclusions he has offered in his letter to the President of the Security Council.

Israel, the occupying Power, has lost the opportunity to demonstrate with an independent investigation that, as members of that Government have argued time and again, its actions were "necessary and proportionate". There was really nothing to fear. Therefore, this decision surprises us.

The Security Council is missing an opportunity to continue playing a constructive role in the Middle East situation. In recent months this body has managed to build an important consensus on the situation in the Middle East, which has led to the adoption of important resolutions. This consensus was not easy to achieve, and my delegation worked actively to contribute to it. In the current situation, in the light of the inexplicable position of the Government of Israel, the unfortunate decision of the Secretary-General to disband the team and the inability of the Security Council to react properly, this body missed the opportunity to perhaps rescue its own political relevance.

The numerous charges of violations against international humanitarian law that have been made concerning the situation in Jenin are very serious and cannot remain without clarification, nor should they. At the focus of today's discussion is the implementation without delay and without conditions of Security Council resolutions, including resolutions 1402 (2002) and 1405 (2002). Colombia does not accept or conceive of the fact that there are arguments that can justify the failure to comply with these resolutions.

Finally, I cannot conclude without making yet another plea to respect the sacred nature of the Church of the Nativity and to seek a peaceful solution to the tense situation that prevails in Bethlehem.

Mr. Yotov (Bulgaria): At the outset, I would like to join the previous speakers in congratulating you, Mr. President, on your assumption of the presidency of the Security Council for the month of May. At the same time, I would like to congratulate your predecessor, Ambassador Lavrov, for the exemplary manner in which he steered the work of the Council during the month of April.

Bulgaria aligns itself with the statement on the Middle East made earlier by Spain on behalf of the

European Union. My country is deeply concerned at the continuing, very serious situation in the Middle East and reiterates its strong appeal for the immediate cessation of hostilities and the application of every possible effort to overcome the crisis and restore the peace process.

We stress the importance of Security Council resolutions, which remain the only possible basis for stability and peace throughout the region. We commend the diplomatic efforts of the "quartet" to pursue the immediate implementation of Council resolutions and to achieve accelerated progress on the political front.

We welcome the fact that during its last meeting in Washington, the "quartet" agreed on a number of very concrete steps that will be undertaken together with the parties and the international community. We support the readiness to begin preparations for an international conference to meet this summer to deal with security, economic and humanitarian issues.

My delegation is concerned at the fact that at this very moment the pullback of the Israeli military forces from the territories of the Palestinian Authority has not yet been completed, as required by the Security Council. My delegation deeply regrets the decision of the Government of Israel not to cooperate with the Secretary-General's initiative to dispatch a fact-finding mission to the Jenin refugee camp. It is necessary that the events that have occurred in the camp be brought to light.

We highly appreciate the efforts of the Secretary-General to develop accurate information regarding the recent events in Jenin. My delegation expresses its support for any future effort by the Secretary-General to provide the Council with the relevant information when it becomes available.

Bulgaria commends the efforts of international diplomacy, in particular of the United States and the United Kingdom, that led to the peaceful solution of the tense situation surrounding Chairman Arafat's compound in Ramallah. The full freedom of movement of the Palestinian leader will allow him to contribute further to the peace efforts. He must make use of his freedom to exercise the political leadership of the Palestinian Authority and his people and to do all in his power to stop the violence and to rebuild the Palestinian security structures. The Palestinian administration should commit itself to stopping the terror, dismantling its infrastructure and putting an end to incitement to violence.

The destruction of the infrastructure of the Palestinian Authority during the Israeli military campaign undermines its capabilities to enforce the rule of law, control extremist groups and prevent violence, including through security cooperation. We share the concern that the security vacuum may lead in the long term to an even greater risk to Israel's security. Therefore, there is a need to urgently rebuild the infrastructure of the Palestinian administration and to make it operational. In this regard, we welcome the meeting of donors recently held in Oslo and the strong commitment of the international community to continue to provide economic aid for peace-building in the region.

During the last public meeting, the delegation of Bulgaria expressed its concern at the alarming humanitarian situation in the West Bank, particularly in the Jenin refugee camp. The information from the region shows that basic food and health care are still needed. The international community should take action to provide humanitarian assistance to the Palestinian people. Israel must comply fully with international humanitarian principles and refrain from the excessive use of force. It must not only guarantee full and impeded access of humanitarian organizations to the populations in need; it must also actively cooperate with them in the field.

We are concerned at the situation regarding the stand-off at the Church of the Nativity in Bethlehem. We believe that the talks between the Palestinian and Israeli sides should be resumed as soon as possible to resolve this issue and to prevent violence and bloodshed in this holy site.

We are convinced that the international community should build on every positive element achieved so far in order to move ahead as soon as possible with the process of achieving peace and stability in the Middle East. The role and unity of the Security Council are essential to contributing to these efforts. Bulgaria is ready to support any initiative that can contribute to the establishment of a just and lasting peace in the Middle East.

The President: I thank the representative of Bulgaria for the kind words addressed to me.

Mr. Wang Yingfan (China) (*spoke in Chinese*): Last month the Israeli forces, in the name of antiterrorism, indiscriminately killed innocent civilians in the Jenin refugee camp. They demolished houses and infrastructure in cities, resulting in humanitarian tragedy. The international community was deeply shocked and has firmly demanded the establishment of the facts surrounding events there. The Secretary-General proposed the setting up of a fact-finding team, which was endorsed by the Security Council. Israel promised to cooperate fully with the team. The Secretary-General and members of the team worked tirelessly in preparation to go to Jenin to find out the truth.

Regrettably, however, Israel reneged on its promise by placing a variety of obstacles to the dispatch of the team, thus making it impossible. Israel must assume all the responsibility for this. As a Member of the United Nations, Israel failed to keep faith by flouting the purposes and principles of the Charter and by failing to implement the Council resolutions. China condemns Israel for this.

The violent Israeli-Palestinian conflict clearly shows that the Middle East question, including the Palestinian-Israeli conflict, must be settled through political negotiations and by peaceful means. Resort to military means by countering violence with violence will lead nowhere.

Thanks to the international community's efforts, a viable framework for achieving a just, reasonable and lasting settlement to the question of the Middle East has been put forward. The framework includes, inter alia, the restoration of the Palestinian people's legitimate national rights and its right to establish an independent State. The framework also includes the guarantee of Israel's security and peaceful coexistence between Palestine and Israel, as well as the Israeli withdrawal from all the territories occupied since 1967 and the normalization of relations between Arab States and Israel. The Israeli and Palestinian sides and the international community should work together to make the political framework a reality.

China supports the efforts of the Secretary-General, the "quartet" and the international community to ease the critical situation in the Middle East with a view to promoting a political settlement. At present, the Palestinian people are facing extreme economic hardships and a dire humanitarian situation. The Palestinian Authority has been subject to severe devastation. We support the Secretary-General's appeal to the international community to provide emergency humanitarian and other relief to Palestine.

Mr. Gokool (Mauritius): Let me first of all congratulate you, Sir, on assuming the presidency of the Security Council for this month. We wish you every success. I also seize this opportunity to commend the Permanent Representative of the Russian Federation for the excellent manner in which he conducted the work of the Council last month.

I thank you, Sir, for organizing this public meeting to further discuss the situation in the Middle East, including the Palestinian question. Since our last public meeting, there have been a number of developments on the ground.

The month-long siege of Chairman Arafat's Ramallah headquarters has now been lifted and the leader of the Palestinian people can at last move freely. We see this as a very important development that should now ease the tension on the ground and pave the way for the resumption of a meaningful political process. My delegation wishes to acknowledge the various high-level diplomatic efforts of the past few days and commends the efforts undertaken by the United States and the United Kingdom that made the lifting of the Ramallah siege possible. At the same time, we deplore the fact that the appeal made by President Bush for an immediate withdrawal of Israeli troops from the occupied Palestinian territories has not been heeded.

The lifting of the siege on Chairman Arafat and the withdrawal of Israeli forces from Ramallah can by no account be an occasion for celebration. We have seen various media reports showing the high degree of devastation sustained by the Palestinian Authority over the past weeks. The infrastructure of Palestinian civilian life has been destroyed, as have many of the institutions set up by the Oslo Accords. It is no exaggeration to say that Palestinian society has been reduced to ruins. The international community should step up its efforts and solidly engage in the rebuilding of Palestinian society, so that normalcy can soon return to the lives of the Palestinian people.

Mauritius understands the security concerns of Israel, including its right to protect its people from terrorist attacks, but it should be clear to Israel and to all that self-defence is not a blank cheque. Responding

to terrorism in no way frees Israel from its obligations under international law, nor does it justify any violation of human rights and humanitarian laws in the occupied Palestinian territories.

It is unacceptable that the siege of the Church of the Nativity has now entered its second month and that around 200 people are still caught in there. We also condemn once again the use of the Church as a sanctuary by militants. We call upon Israel to immediately lift the siege of the Church, which would prevent a real human tragedy in a site holy to the Christian faith. We also call upon the international community and world leaders to exercise all their influence on the Israeli authorities to put an end to this crisis.

Another area which continues to monopolize the attention of the international community is the situation in the Jenin refugee camp. After the outcry of the international community over the devastation and possible massacre perpetrated in Jenin, Secretary-General Kofi Annan, in all his wisdom, set up a fact-finding team that would have produced an accurate report on the recent events in the Jenin refugee camp. The international community had full confidence in the distinguished personalities chosen by the Secretary-General to lead the fact-finding team.

The Security Council, through its resolution 1405 (2002), supported that important and bold initiative of the Secretary-General, which initially had the support of the Israeli authorities. Even the Foreign and Defence Ministers of Israel had assured the Secretary-General that Israel would cooperate fully with the team. Israel even stated that it had nothing to hide over what took place in Jenin. We were relieved that at last the international community would know the facts about Jenin and whether or not there were civilians massacred.

However, we are now faced with the situation in which the Secretary-General has disbanded the fact-finding team because of the uncooperative attitude of Israel. We are all aware that, over the past 12 days, Israel has constantly created obstacles and raised concerns related to the composition of the team, the scope of its mandate and various other procedural matters. This Israeli challenge of the Secretary-General and rebuff to the Council is unacceptable and should be condemned. Israel's behaviour is tantamount to intolerable arrogance and defiance of the international community. The uncooperative attitude of Israel and its non-compliance with various Security Council resolutions, including resolution 1405 (2002), put in peril the whole architecture of the United Nations. It is a further blow to the credibility of the Council. Each Member State should feel duty-bound and both legally and morally responsible to uphold the principles enshrined in the Charter of our Organization. Israel cannot be an exception.

Ever since the setting up of the fact-finding team, Israel has constantly shown obvious signs of non-cooperation with it. The Council should have moved collectively and decisively to ensure the implementation of resolution 1405 (2002) by Israel. We should have adopted stronger language forcing Israel to accept the fact-finding team without conditions.

The disbanding of the fact-finding team today is or may be the price we have to pay for our reluctance and hesitation in the Council. Our inability to take appropriate and timely action has raised several questions about our role as the organ responsible for the maintenance of international peace and security. The questions are indeed legitimate. What we have seen over the past 12 days constitutes a dangerous precedent in the Council, which will surely be used by other countries in any similar situation, thereby weakening the credibility of the Security Council as well as the authority of the Secretary-General. It is the integrity of the international system which is imperilled by not having a level playing field and having double standards. We believe that the Arab Group was right in submitting its draft resolution for a vote yesterday in the early hours.

The lead figures of the "quartet" held an important meeting yesterday in Washington, and we welcome the announcement on the holding of a Middle East peace conference later this year. We urge all the parties to fully seize such a historic opportunity, which could eventually fulfil Israel's aspiration and great need to live within secure and recognized borders and give the Palestinian people their long-overdue homeland. We believe that the proposal presented by Saudi Crown Prince Abdullah and endorsed by the Arab leaders constitutes an important basis for deliberation by the conference.

Finally, Mauritius welcomes the statement made by the Israel Minister of Defence requesting a resumption of the peace negotiations. We believe that

the success of the Middle East peace conference depends on numerous factors, and that one of them is full respect for the recently adopted Security Council resolutions. Israel should also immediately withdraw from the entire West Bank. It is important that as from now, all the parties, as well as the international community, start preparing the ground for the conference. Both Prime Minister Sharon and President Arafat have a heavy responsibility. They should stand ready to guide their people in this trying moment. History will not excuse them for any failure.

The President: I thank the representative of Mauritius for the kind words he addressed to me.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): Mr. President, it gives me great pleasure to convey to you our deep appreciation for your immediate response to the call by the Arab Group to convene this public meeting. I am pleased also to express our thanks to Ambassador Sergey Lavrov, the Permanent Representative of the Russian Federation, and to all members of his Mission on the successful work they did during Russia's presidency of the Security Council last month.

My delegation is pleased to associate itself with the statement made by the representative of the Sudan on behalf of the Arab Group.

The Council is convened today to consider once again the challenges that it has been facing since the latest Israeli acts of aggression against the Palestinians, since the Israeli forces began destroying the Palestinian infrastructure, and since the barbaric incursions of the Israeli forces into Palestinian towns, villages and camps, as well as their atrocities perpetrated against innocent civilians, the elderly, and women and children alike.

Representatives of international humanitarian organizations and of non-governmental organizations have spoken of what they witnessed in the Jenin refugee camp. They described it as an unspeakable and horrifying tragedy and as a flagrant violation of every norm of international law and of the Geneva Conventions on human rights.

We must also note that the deliberate massacre perpetrated by Israel in the Jenin refugee camp took place following the adoption by the Council of resolutions 1402 (2002) and 1403 (2002). Could there be greater defiance of Security Council resolutions than this rejection?

Today is Good Friday for Eastern Orthodox Christians. This is the last day of the week of the passion of Jesus Christ, before Easter, which falls on Sunday. The Church of the Nativity is suffering its own passion. For weeks now, as is well known, that church — which belongs to the Catholics, the Orthodox and the Armenians — has been besieged and surrounded by Israeli tanks. Israeli soldiers have killed numerous innocent civilians who had taken refuge in that church.

It is high time for the Council to shoulder its responsibilities and to end the pain and agony of the Palestinian people as well as put an end to the siege. Will Israel give peace a chance in the church of peace?

What happened in the Jenin refugee camp was truly an unspeakable and terrible human tragedy. Mr. Farouk Al-Shara, the Deputy Prime Minister and Foreign Minister of the Syrian Arab Republic, in the statement he made to the ministerial meeting of the Coordinating Bureau of the Non-Aligned Movement in Durban, said the following about the events that took place in the Jenin refugee camp:

> "A high-ranking European official of the International Committee of the Red Cross has affirmed that Israel has committed a crime against humanity twice in Jenin – once when it stormed the camp and bombed and bulldozed houses, burying their owners underneath the rubble, and a second time when it prevented any form of relief from reaching the wounded and suffering for 13 days."

The Foreign Minister was speaking 13 days after the events, but now, of course, the period is much longer.

He continued:

> "We deem it our duty to remind the world again that the inhabitants of the Jenin refugee camp are essentially Palestinian refugees who were uprooted by Israel from their homes and from their land in 1948. It is the only tragedy that has moved from the twentieth century to the twenty-first century unresolved, despite the fact that dozens of resolutions have been adopted concerning it."

It is important to recall the deliberations of the Security Council before our adoption of resolution 1405 (2002), taking into account the need to benefit from the lessons learned and the need to prevent any party from manipulating the Council's resolutions and undermining its authority.

In this context, everyone is aware that the Arab Group has displayed great flexibility, with a view to enabling the Council to adopt a resolution that would maintain its unity and the unity of its position and actions. My country was among the first to welcome the initiative of the Secretary-General of our Organization to dispatch a fact-finding team to determine what took place in the Jenin refugee camp.

Before the adoption by the Council of resolution 1405 (2002), we heard a number of statements by Israeli officials in which they said that they had nothing to hide with respect to the Jenin refugee camp and that they were not afraid or ashamed of what took place there. However, when the fact subsequently started to become clear, it became evident that the opposite of what the Israeli officials alleged was true.

Contrary to what has been said in their statements, it has become obvious that they have a great deal to hide and a lot to be afraid and ashamed of. When the Secretary-General formed a fact-finding team of distinguished personalities, well known on the international level for their wisdom, experience, knowledge and independence, Israel showed its true face. It started, as a first step, to raise doubts about the task and mandate of the team. In order to undermine the content of resolution 1405 (2002), the Israeli Government began to follow its well-known methods of circumventing the resolutions of international legality; this is a tactic it has used consistently for scores of years. It began its game by sending an Israeli delegation with questions about the composition of the team, as if the accused has the right to appoint the judges who will render a verdict on it. Questions about the mandate of the team were discussed with the Secretariat.

In four successive meetings of the Council to follow up the implementation of resolution 1405 (2002), my delegation declared that the Council must not be taken in by such tactics, which are part of a carefully crafted Israeli scheme to flout the resolution. For 10 days following the adoption of the resolution, we called upon the Council to do its utmost to support the Secretary-General in his decision on the composition of the team and its dispatch to the field. Without delving into details that we need not refer to now, we say that the Council should have made a greater effort to support the Secretary-General and to stand by him in facing all the cruel pressures brought to bear on him.

From another angle, many parties in Israel, including a number of ministers and high-ranking military officers, started to cast doubts on the efforts of the Secretary-General and his desire to dispatch the team. Moreover, they questioned the integrity and impartiality of the members of the team, including the former President of Finland, Mrs. Ogata and Mr. Sommaruga. They besmirched their reputation and attempted to distort their task. This is unbelievable. What is worse, doubts were cast in advance on the report that was to have been presented by that team after its investigation into the events in the Jenin refugee camp. It was as if all that remained for the Security Council to do was to ask the Israeli Government to investigate what happened in Jenin and to send its report to us to consider.

My delegation has carefully read the letter from the Secretary-General to the Security Council of 1 May, through which it is clear that the Israeli Government has categorically refused to receive the team or to cooperate with the Secretary-General. Once again, we expected the Council to defend its resolutions and its authority. We also expected the Council to shoulder its responsibilities to defend the position of the Secretary-General and his efforts in an impartial and objective manner.

The Arab Group submitted a draft resolution that included all these ideas. In fact, we expected those ideas to deter Israel from its constant flouting of Council resolutions, international legality and human rights. Regrettably, the Council has not been able to adopt the Arab draft resolution, for reasons that are well known to all.

The gravest crisis facing the Council now is that regarding its authority as the highest international body responsible for the maintenance of international peace and security. With the legal and moral responsibility we all bear, we must not allow Israel to go unpunished for its crimes against innocent Palestinian civilians in the Jenin refugee camp and in the cities of Nablus, Gaza and Hebron. Israel must bear the full

responsibility for rebuilding the Palestinian infrastructure it destroyed.

The gravest threat is that the Council will find itself today in the position of abrogating the decision it adopted yesterday. We refuse to accept that. Neither legally nor politically can Israel deny the fact-finding team access to Jenin or to any other Palestinian town in which the Israeli army practised its policies of destruction and killing. Israel is an occupying Power. The United Nations Charter, in Chapters VI and VII, provides for the adoption of coercive measures to compel rogue States to comply with the law. It is unacceptable for the Council to renounce its prerogatives or to succumb to the whim and will of the subjects its resolutions.

Ms. Lajous (Mexico) (*spoke in Spanish*): The delegation of Mexico would like to express its gratitude for the Secretary-General's efforts to comply with what was set out in resolution 1405 (2002), in particular with respect to his initiative to obtain exact information on the events in the Jenin refugee camp.

International peacekeeping and security are fundamental goals of this Organization, and thus we must respect international humanitarian law. All United Nations Members, without exception, have agreed to respect, and to make respected, the decisions along these lines, in accordance with the letter and spirit of the United Nations Charter. However, the non-implementation of Security Council resolutions, in particular with respect to the Middle East question, not only has seriously undermined the possibilities for reaching a just solution for the region, but also jeopardizes the Council's own credibility before the international community.

In the specific case concerning us — the non-implementation of resolution 1405 (2002) — my delegation would like to recall that this was drafted, particularly in paragraph 2, with moderate wording under the legal supposition that it would be complied with, in good faith, by all the parties concerned. Unfortunately, this was not the case, despite the very commendable efforts by the Secretary-General and the team appointed by him.

In this respect, my delegation would like to reiterate that the international community cannot forget what happened in the past few weeks, in particular in Jenin. The United Nations and the Security Council cannot abdicate their moral and legal responsibility to clarify the facts, whatever the consequences for those involved may be.

Sir Jeremy Greenstock (United Kingdom): I associate myself, of course, with the statement made earlier in the debate by the representative of Spain on behalf of the European Union.

The situation in the occupied territories continues to be of grave concern to the British Government. Violence and retaliation have become the norm. The lives of civilians on both sides are still threatened on an almost daily basis. They are unable to live the ordinary lives that most of us take for granted. In these circumstances, it is, frankly, difficult to have any optimism for the future, but we cannot give up. The international community must continue its efforts to work towards a final settlement that sees two States, Israel and Palestine, living side by side within recognized borders, with peace and security for both. All the peoples in the region deserve nothing less than peace. We therefore welcome the constructive outcome of yesterday's meeting of the "quartet" in Washington, D.C.

There can be no military solution. Dialogue and negotiation are the only way to a just, lasting and comprehensive settlement. The road map is clearly laid out in Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) and in the Arab peace initiative initiated by Crown Prince Abdullah. The United Kingdom is committed to helping to restart a peace process. This is why we, with the United States Government, negotiated with Israel and the Palestinian Authority an initiative to allow President Arafat to resume his work inside and outside the occupied territories. British and American supervisory wardens are now overseeing the detention of six Palestinians in a Palestinian Authority facility in Jericho and the Israeli Government has, as agreed, withdrawn from around President Arafat's compound and from Ramallah. President Arafat will be able to travel abroad and to return.

This is a step forward, but by itself it is not enough. We hope that both sides will build on this modest beginning to stop the violence and start the talking. The Council has laid out clear imperatives for the parties in its recent resolutions. Both sides must move to a meaningful ceasefire and resume security cooperation. Israel must withdraw from Palestinian-controlled areas and should implement all relevant

Security Council resolutions, but President Arafat, now that he is free to move outside his compound, must make good use of his freedom to exercise political leadership of the Palestinian Authority and of his people and do all in his power to stop the violence. Together with Prime Minister Sharon, who also needs to demonstrate statesmanship at this time, he must grasp this opportunity. Both need to demonstrate that they are committed to peace and to lead their people down that path.

The United Kingdom is deeply disappointed that the Secretary-General's fact-finding team has not been able to deploy to the Jenin refugee camp to ascertain exactly what happened there during the Israeli military operation. Israeli Government spokesmen have said that the operation by the Israeli Defence Forces was necessary and proportionate. If that is true, then the Israeli Government had nothing to hide. We welcomed Israel's acceptance of the team when the initiative was first proposed, but we deplore the failure of the Israeli Government to cooperate with the United Nations and to allow the deployment of the United Nations fact-finding team. The Secretary-General has rightly concluded that this will make a fact-finding mission impossible in the near future. Given the circumstances, we entirely support the Secretary-General's decision to disband the team, regrettable though that is. He and the members of the team made every effort to create the conditions in which the team could deploy. We, like the Secretary-General, believe that they would have produced an accurate, balanced, credible and comprehensive report.

The international community needs to make up its own mind about what happened in Jenin. We believe that a balanced fact-finding exercise would have been in Israel's best interests. In its absence, as the Secretary-General has said, the long shadow cast by events in Jenin will remain.

Mr. Kolby (Norway): First of all, I would like to congratulate you, Sir, on your assumption of the presidency of the Council and to express my delegation's gratitude to the Russian delegation for its handling of the presidency last month.

Norway welcomes the lifting of the siege on President Arafat and the headquarters of the Palestinian Authority in Ramallah. It proves that diplomacy and negotiations on the ground, and not military action and violence, are the measures by which this conflict must be resolved. Norway also urges the parties to find a non-violent end to the current stand-off at the Church of the Nativity in Bethlehem.

The initiative to establish a fact-finding team for Jenin was endorsed by a unanimously adopted resolution of the Council. Norway deeply regrets the continued lack of willingness of the Government of Israel to cooperate with the fact-finding team. Because of the Israeli position, the Secretary-General was forced to disband the team. Norway understands the decision of the Secretary-General. However, we still believe that it would be in the interests of all parties — Palestinians, Israelis and the international community — to obtain information that is as accurate as possible on what happened in the refugee camp in Jenin.

Norway supports the three-pronged approach that has received wide endorsement internationally. We need to work in parallel on the political, security and economic tracks. We are pleased to note that a meeting of the international donors in Norway a week ago produced strong and concrete commitments to the rebuilding of Palestinian society. Norway also strongly supports the efforts of the United States and the "quartet" to promote peace in the region.

The immediate challenges now are to rebuild the institutions of the Palestinian Authority, including its security apparatus. We expect President Arafat to exercise real leadership, to do his utmost to prevent further acts of terrorism and to carry out his responsibilities as the elected leader of the Palestinian people. At the same time, we expect Israel to halt all military operations against the Palestinian Authority, and we urge Israel to withdraw fully from all reoccupied Palestinian areas.

In the belief that it will be a substantial contribution to reaching our common aim of two States, Israel and Palestine, living side by side in peace and security within internationally recognized borders, Norway supports the initiative of the United States to convene an international peace conference on the Middle East.

The role of this Council at this critical time must be to join forces in pursuit of a resumed political process.

The President: I thank the representative of Norway for his kind words addressed to me.

Mr. Doutriaux (France) (*spoke in French*): France fully associates itself with the statement made by the Ambassador of Spain on behalf of the European Union. I will therefore be brief, limiting myself to three points.

First, France deeply deplores that it was impossible to dispatch the fact-finding team due to the objections of the Israeli authorities, who reconsidered the agreement they had reached with the Secretary-General two weeks earlier.

The team had been named by the Secretary-General with the full support of the Security Council. The Council had endorsed the initiative and established its terms of reference in resolution 1405 (2002). The authority of the Council and of the Secretary-General should be respected. Israel's failure to cooperate in the implementation of resolution 1405 (2002) is a serious error, which France condemns. Security Council resolutions are not optional.

Beyond the question of principles, as the Secretary-General said, it is in everyone's interest to determine once and for all what happened. It would have been especially in the interest of Israel. The testimonies and observations reported by international humanitarian and human rights organizations and by media are serious. The lack of an accurate and objective report on the facts leaves everyone in doubt. That is deeply regrettable. It is important that the Security Council be able to react by expressing its solidarity with the Secretary-General and with Mr. Ahtisaari's team and by expressing the disappointment and frustration of the international community. It also greatly to be desired that the truth be established and that the Council be informed by the Secretary-General on the basis of available sources of information.

Secondly, France welcomes the settling of the situation in Ramallah and President Arafat's regaining of his freedom of movement.

Yasser Arafat's personal security and freedom of movement must now be fully ensured. France pays tribute to the diplomatic efforts made to achieve that positive result, particularly by the Americans and the British. Now that a positive dynamic seems to have taken hold with the announcement by the "quartet" that it will work on an international conference, such a conference must be reinforced particularly through the prompt lifting of the siege on the Church of the Nativity in Bethlehem, where the humanitarian situation of the besieged, who are deprived of food, is alarming. We must also arrive without delay at a total, definitive withdrawal of the Israeli forces from the A zones and must obtain assurances that there will be no further incursions by the Israeli forces.

France welcomes the strengthening of all efforts, particularly those of the "quartet", which met in Washington, and those of the Arab world, which courageously and resolutely committed itself to global and lasting peace. The international community's involvement with the parties must be strengthened.

Thirdly, France remains highly concerned at the overall situation on the ground, which is still fragile and dangerous at both the humanitarian and political levels.

The humanitarian situation in the Palestinian territories is catastrophic. The civilian population is suffering to an intolerable degree. The international community, which met at Oslo last week and is willing to make a great financial commitment, must intensify its efforts. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) must be assisted.

It is absolutely indispensable that the Israeli authorities, on their side, take the measures necessary for an immediate and lasting improvement of the humanitarian and economic situation in the Palestinian territories. There can be no meaningful progress without a lifting of curfews, the sealing off of areas, restrictions of movement and the compartmentalization of the territories. There can be no progress without the guarantee of freedom of movement and access to the population for humanitarian agencies and medical personnel and Israel's full respect for the provisions of international law and humanitarian law as defined by the Geneva Conventions.

The political situation is tense and precarious, despite the intense efforts for restarting the negotiating process.

With the help of the international community, particularly the "quartet" and the leaders of the Arab world, the parties must find again the way to a lasting ceasefire and the restarting of a genuine political process. That will require great efforts and political will from the parties, as well as from the international community.

Damage to the Palestinian Authority and the ministries of education and of higher education and to the preventative security infrastructure must be assessed without delay. The Palestinians must be helped to rebuild in order to lay the bases for a democratic and viable state of law.

There is no other route possible except the establishment of a ceasefire and the relaunching without delay of political negotiations for a definitive and just settlement. We know all its contours: Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), the Madrid declaration of the "quartet", of 10 April, Colin Powell's speech in Louisville and the proposals of the Beirut Summit. Only a comprehensive process including the security, political, humanitarian and economic issues can succeed.

The Palestinian Authority must shoulder its responsibilities, especially with regard to security and the fight against terrorism. The Israeli occupation must end, giving place to the peaceful coexistence of two independent States, Israel and Palestine, living within secure and recognized borders. It is illusory to think that such a settlement can be negotiated without Yasser Arafat, the legitimate and elected representative of the Palestinian people.

In moving towards peace, the international community's involvement is decisive. Beyond the perspective of a new international conference, the international community's involvement must take the shape of a credible presence on the ground. France supports the Secretary-General's approach outlined in his proposal for the deployment of a multinational force. Considerations in this direction must continue.

The international community's efforts must continue without respite. We must keep hope. There is no solution through arms, brutal force or any form of violence. The road of peace includes mutual recognition and negotiation between partners who recognize and respect each other. The Israelis and the Palestinians know that very well.

The President: I shall now make a statement in my capacity as the representative of Singapore.

Since our last open debate, on 19 April, there have been several developments in the Middle East. There has been good news and bad news, but overall the situation remains grim and is of grave concern to the international community.

On the good news front, we welcome the ongoing diplomatic initiatives that have been undertaken to help implement the Security Council resolutions. Israel's decision to lift the restrictions on Chairman Arafat, as a result of diplomatic efforts undertaken by the United States and the United Kingdom, is a positive development. Similarly, yesterday's announcement from the "quartet" — consisting of the United States, Russia, the European Union and the United Nations — that the international peace conference could be convened in early summer with a comprehensive agenda for security, economic, humanitarian and political tracks is indeed a truly welcome announcement.

Just before the resumption of the meeting, we were encouraged by the briefing that the Secretary-General gave us in the informal consultations room. We believe that the Secretary-General has a vital role to play. We have responded positively to his proposal to deploy an impartial and robust multinational force to the region. We have urged the Council to consider that suggestion seriously. We hope that proposal will gain some traction.

But there is also bad news. We continue to deplore in the strongest terms all acts of terror and to call for an end to the extreme acts by both sides. We believe that there must be a withdrawal of Israeli forces from all Palestinian cities, accompanied by general efforts by the Palestinian Authority to take action against acts of terror.

There is the bad news related to Jenin, which has probably triggered the meeting that we are having here today. Initially, we were encouraged by the Secretary-General's initiative to develop accurate information regarding the events in the Jenin refugee camp through the dispatch of a fact-finding team. We were therefore happy to vote unanimously, with the other Council members, to support the Secretary-General's initiative. We did so because we believed that it was in Israel's interest to have a full and public clarification of the situation in Jenin. It is therefore unfortunate that the team has now been disbanded, and we join others in expressing deep regret at Israel's rebuff of those efforts.

We also believe that the Council's credibility has been damaged by the non-compliance with its resolutions. Indeed, listening to this debate since it began, if there is one clear theme that emerged in all

the speeches, it was that Security Council resolutions must be complied with. Let me just cite two examples. The Permanent Representative of Spain, speaking on behalf of the European Union said: "Security Council resolutions must be implemented fully and immediately ... The European Union deplores that yet another Security Council resolution has not been fully implemented." The Permanent Representative of South Africa said:

> "If the Council fails to impose consequences for non-compliance with its decisions, its ability to fulfil its Charter mandate will be completely undermined and its credibility will be harmed."

If that is indeed the consensus, why, then, has the Council not reacted to the latest developments? Here, perhaps, it may be useful for the international community to be apprised of the fact that the Council indeed has not been quiet. There has been intense activity over the last 48 hours to try to forge a common response by the Council. Indeed, it began on the first day of the month, when it is not traditional for the Council to hold meetings. But we met at 5.20 p.m. to discuss the letter that was sent to us by the Secretary-General, informing us of his efforts to implement resolution 1405 (2002), including a chronology of events and his analysis leading to his intention to disband the fact-finding team. Indeed, we had a comprehensive and exhaustive discussion that lasted three hours, and, of course, we discussed the possible responses that the Council could make, including a draft resolution. We suspended the meeting at 8 p.m., corridor diplomacy continued, and we resumed our meetings at 10.20 p.m.; at that point in time, we had one draft resolution on the table, plus other alternative texts. They were circulated and, indeed, have been referred to in today's meetings.

Throughout all these discussions, various efforts were made to try to bring the Council together to act in a unified fashion, and at 11.10 p.m. on Wednesday night all 15 heads of delegations were invited by the presidency to find creative and practical ways to avoid divisions in the Council. These efforts did not succeed and I believe that at about 10 minutes past midnight this Chamber was opened up and we all began to enter in the expectation that a decision would be taken. Subsequently, however, the decision was made not to proceed with a vote on the draft resolution.

Subsequently, we then resumed our informal consultations at 1.15 a.m. to discuss again a possible Council response. In those consultations, which lasted from 1.15 a.m. to 2.15 a.m., we reached some agreement and, as instructed by the members of the Council in my capacity as President of the Council, I went outside and I told the media that the Council had agreed that a letter should be prepared and sent to the Secretary-General. I suppose that many members noticed that, when the Secretary-General spoke at his press conference yesterday in Washington, D.C., he referred to the possibility of receiving such a letter and he said:

> "I hope I will get a letter from them at the end of the day. I do not know what they will do next, but there is a paragraph in the draft, which I have seen, which will require that we proceed and prepare a report on Jenin with all available information, implying that it should be done even if we could not get in on the ground."

That was a letter that had been drafted by the Singapore delegation and circulated at the consultations yesterday morning. Regrettably, because we could not reach agreement on the letter, the discussions continued and finally the decision was made to convene this open meeting.

I thought it may be useful to document all these facts to indicate that the members of the Council are aware that they have a responsibility in this situation. I believe that most members are aware that, if the Security Council is to make a real and constructive impact on this situation, it is important that it act, as far as possible, in a unified manner. The Security Council should continue to build on the other successful stream of resolutions we have adopted in the past few months, for that would send a clear message to all the parties involved that they need to come together. We hope that, as a result of the debate today, with a clear message sent by the non-members of the Council to the members of the Council that they have an obligation to react to these latest developments, the Council will come together and do so in the realization that its credibility is at stake now and that we, the Council members, have to assume common responsibility for this credibility.

I now resume my function as President of the Council.

There are no more speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 p.m.